

**COUNTY COUNCIL**

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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**

September 9, 2020

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Arryl Kaneshiro, Council Chair **AK**  
**RE:** **SEPTEMBER 9, 2020 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its September 9, 2020 Council Meeting:

**CONSENT CALENDAR:**

C 2020-210 Communication (08/14/2020) from the Director of Finance and the Accounting Systems Administrator, transmitting for Council information, the Inventory Report for the Fiscal Year Ending June 30, 2020. ***(Received for the Record.)***

C 2020-211 Communication (08/24/2020) from the Acting County Engineer, transmitting for Council consideration, a Resolution Repealing A Portion Of Resolution No. 54-91, Relating To Speed Restrictions And Establishing A New Maximum Speed Limit Along Kamole Road, Kawaihau District, County Of Kaua'i. ***(Received for the Record.)***

C 2020-212 Communication (08/24/2020) from the Acting County Engineer, transmitting for Council consideration, the following traffic resolutions for improvements to Maluhia Road and Kōloa Road:

- Resolution Establishing Turn Lanes Along Maluhia Road, Kōloa District, County Of Kaua'i; and
- Resolution Establishing Turn Lanes, A Roundabout, And A Crosswalk, And Amending Resolution No. 2008-32, Establishing Speed Limits Along Kōloa Road, Kōloa District, County Of Kaua'i. ***(Received for the Record.)***

C 2020-213 Communication (08/25/2020) from the Acting County Engineer, transmitting for Council consideration, a Resolution Establishing No-Parking Zones Along Portions Of Po'ipū Road, And Repealing Certain Parts Of Resolution No. 2013-62, Relating To Existing Restrictions Along Portions Of Po'ipū Road, Kōloa District, County Of Kaua'i. ***(Received for the Record.)***

C 2020-214 Communication (08/25/2020) from the Managing Director, transmitting for Council consideration the following measure for inclusion in the 2021 County of Kaua'i Legislative Package:

- A Bill for An Act Relating to Animal Control Services, to repeal Section 143-16 of the Hawai'i Revised Statutes (HRS), which mandates that the County contract specifically with the Kaua'i Humane Society for animal control services related to dogs. ***(Received for the Record.)***

C 2020-215 Communication (08/25/2020) from Councilmember Chock and Councilmember Evslin, transmitting for Council consideration the following measure for inclusion in the 2021 Hawai'i State Association of Counties (HSAC) Legislative Package and the 2021 County of Kaua'i Legislative Package:

- A Bill for An Act Relating to Registration of Vehicles, to establish a new fee to be paid by U-drive motor vehicles for each certificate of registration, which has the effect of assessing all motor vehicles (including U-drive motor vehicles) the same amount for beautification and costs related to the disposition of abandoned and derelict vehicles. ***(Received for the Record.)***

C 2020-216 Communication (08/26/2020) from Councilmember Chock and Councilmember Evslin, transmitting for Council consideration the following measure for inclusion in the 2021 Hawai'i State Association of Counties (HSAC) Legislative Package and the 2021 County of Kaua'i Legislative Package:

- A Bill for An Act Relating to Registration of Vehicles, to allow the Director of Finance to require payment of outstanding charges owed to the County for the towing, removal, or disposal of an abandoned or derelict vehicle within the County before renewal or issuance of a Motor Vehicle Certification of Registration. ***(Received for the Record.)***

C 2020-217 Communication (08/27/2020) from the Acting County Engineer, transmitting for Council consideration, a Resolution Establishing Turn Lanes, A Crosswalk, And Stop Control For The Intersection Of Ala Kalanikaumaka And Lopaka Paipa Boulevard, Kōloa District, County of Kaua'i. ***(Received for the Record.)***

COMMUNICATIONS:

C 2020-218 Communication (08/10/2020) from Elliott Ke, Assistant Chief of Police, Kaua'i Police Department, requesting Council approval to accept and expend funding from the Enhanced 911 (E-911) Board, in the amount of \$738,000.00, for annual recurring expenditures to operate 911 services in the Kaua'i Police Department's (KPD's) primary Communications Center and the Alternate Dispatch Center (ADC), and travel expenses for designees to attend monthly board meetings on O'ahu and board-approved trainings available out-of-state. **(Approved.)**

C 2020-219 Communication (08/11/2020) from the Housing Director, requesting Council approval to perform the following:

- a. Acquire under the County's Community Development Block Grant (CDBG) Program a residential unit at 3920 Haoa Street, #224, Līhu'e, Hawai'i, 96766, Tax Map Key (TMK): (4) 3-5-001-165-0019, for a purchase price of not more than \$191,650.00, based on the fee simple market appraisal, which will be obtained as part of this transaction;
- b. Resale by fee simple of 3920 Haoa Street, #224, Līhu'e, Hawai'i, 96766, for not more than \$191,650.00, which will be obtained as part of this transaction; and
- c. Authorize the County Clerk to sign legal documents related to the acquisition and resale transactions. **(Approved.)**

C 2020-220 Communication (08/12/2020) from the Chief of Police and Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to receive and expend Federal funds for the Sexual Assault Nurse Examiner (SANE) Exams and Supportive Funding and DNA Analysis programs, in the amount of \$98,824.00, which will be used to continue law enforcement efforts to assist in sexual assault investigations and crimes through agency collaboration, and approval to contract with and indemnify the State of Hawai'i Department of the Attorney General for the term commencing July 1, 2020 to May 31, 2021. **(Approved.)**

C 2020-221 Communication (08/19/2020) from the Executive on Aging, requesting Council approval to receive and expend a total of \$41,454.00 in Federal Funds for Fiscal Year 2020-2021, and to indemnify the State Executive Office on Aging. The funds will be utilized to address the following goals:

- Maintain and/or improve the health and well-being of older adults;
- Build an integrated continuum of support using technological devices including iPad or mobile phones to stay connected and increase social engagement;
- Develop lessons to enhance communication by learning computer basics and connecting with technology; and
- Provide equipment to avoid depression and social isolation. **(Approved.)**

Council Meeting Follow-up Memorandum to the Mayor

September 9, 2020

Page 4

C 2020-222 Communication (08/20/2020) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal funds, in the amount of \$110,000.00, to supplement the Partnership for Success Grant (PFS) through September 21, 2021 to be used for programs to prevent the onset and reduce the progression of underage drinking and other substance use and its related problems while strengthening prevention capacity and infrastructure at the community and State levels. ***(Approved.)***

C 2020-223 Communication (08/20/2020) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal funds, in the amount of \$23,456.00, from the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Fiscal Year 2020 Local Solicitation Grant, to continue employment of the one (1) Full-Time Equivalent (FTE) Process Server to continue process serving for the Office of the Prosecuting Attorney for three (3) months, purchase office supplies, and allow officers of the Kaua'i Police Department to attend training sessions. The grant will cover expenses for the time period October 1, 2019 through September 30, 2021. ***(Approved.)***

C 2020-224 Communication (08/26/2020) from the Fire Chief, requesting Council approval to accept a donation from the Kaua'i Lifeguard Association (KLA) of two (2) Honda All-Terrain Vehicles (ATVs), valued at \$16,205.22 (\$8,102.61 each), which will be utilized by the Ocean Safety Bureau. ***(Approved with thank-you letter to follow.)***

C 2020-225 Communication (08/27/2020) from the Fire Chief, requesting Council approval to accept a donation from the Kaua'i Lifeguard Association (KLA) of one (1) new 2020 Kawasaki "Mule," valued at \$10,312.56. ***(Approved with thank-you letter to follow.)***

C 2020-226 Communication (09/01/2020) from Michael M. Contrades, Office of the Mayor, requesting Council approval, to accept a donation of an Ipe Wooden Bench, valued at \$800.00, from the County of Kaua'i Building Division Staff, Avery Youn (Architect), Nalani Mahelona (NRM Architecture), Debbie Freeman (Permit Service), Barry Arruda Construction, Lauri Smith-Wishard (Shioi Construction), and Greg Freeman (Builder), in remembrance of Feliciano "Pelane" Fernandez, a County Building Inspector who dedicated more than thirty-five (35) years of public service. ***(Approved with thank-you letter to follow.)***

C 2020-227 Communication (09/01/2020) from Council Chair Kaneshiro, transmitting for Council consideration, a Proposed Draft Bill to amend Chapter 8, Kaua'i County Code 1987, As Amended, Relating To Uses In The Agriculture Zoning District. ***(Received for the Record.)***

LEGAL DOCUMENTS:

C 2020-228 Communication (08/11/2020) from the Acting County Engineer, recommending Council approval of the Property Adjustment Agreement for the Lydgate-Kapa'a Bike/Pedestrian Path Phase C (STP-0700(064)):

- Property Adjustment Agreement by and between the County of Kaua'i and SMK Inc., 4-484 Kūhiō Highway, Kapa'a, Parcel Tax Map Key (4) 4-3-002:018. **(Approved.)**

C 2020-229 Communication (08/12/2020) from the Acting County Engineer, recommending Council approval of the following Right-of-Entry Agreement to construct, use, maintain, and repair a bike and pedestrian shared-use path across Airport-owned land for access (sidewalks and pathways) purposes for the Ahukini Landing-Lydgate Park Bike/Pedestrian path segment of Ke Ala Hele Makalae:

- Right-of-Entry Agreement by and between the County of Kaua'i and Hawai'i Department of Transportation (HDOT) Airport Parcels, Tax Map Key Nos. (4) 3-5-001:008 (por.) and (4) 3-5-001:159 (por.). **(Approved.)**

C 2020-230 Communication (08/27/2020) from the Acting County Engineer, recommending Council approval of the following Property Adjustment Agreements for the Līhu'e Town Core Mobility and Revitalization Project – TGR-0700(073) for the installation and modification of a chainlink fence and rolling gate on the subject property:

- Property Adjustment Agreement by and between the County of Kaua'i and HEY Company LLC., 4181 Rice Street, Tax Map Key No. (4) 3-6-003:046. **(Approved.)**

C 2020-231 Communication (08/27/2020) from the Acting County Engineer, recommending Council approval of a Dedication Deed, from Kukui'ula Development Company (Hawai'i) LLC to the County of Kaua'i, for a non-taxable road or right-of-way, located at the western end of Lopaka Paipa Boulevard, Kōloa, Hawai'i, Tax Map Key No. (4) 2-6-014:042:

- Dedication Deed **(Approved.)**

CLAIMS:

C 2020-232 Communication (08/13/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Jamelyn DeCosta-Caalim and Peter Caalim, 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.)**

C 2020-233 Communication (08/14/2020) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by William C. Hadley, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kauaʻi. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

**COMMITTEE REPORTS: APPROVED.**

**RESOLUTIONS:**

Resolution No. 2020-35 – RESOLUTION REPEALING A PORTION OF RESOLUTION NO. 54-91, RELATING TO SPEED RESTRICTIONS AND ESTABLISHING A NEW MAXIMUM SPEED LIMIT ALONG KAMOLE ROAD, KAWAIHAU DISTRICT, COUNTY OF KAUAʻI ***(Approved.)***

Resolution No. 2020-36 – RESOLUTION ESTABLISHING TURN LANES ALONG MALUHIA ROAD, KŌLOA DISTRICT, COUNTY OF KAUAʻI ***(Approved.)***

Resolution No. 2020-37 – RESOLUTION ESTABLISHING TURN LANES, A ROUNDABOUT, AND A CROSSWALK, AND AMENDING RESOLUTION NO. 2008-32, ESTABLISHING SPEED LIMITS ALONG KŌLOA ROAD, KŌLOA DISTRICT, COUNTY OF KAUAʻI ***(Approved.)***

Resolution No. 2020-38 – RESOLUTION ESTABLISHING NO-PARKING ZONES ALONG PORTIONS OF POʻIPŪ ROAD, AND REPEALING CERTAIN PARTS OF RESOLUTION NO. 2013-62, RELATING TO EXISTING RESTRICTIONS ALONG PORTIONS OF POʻIPŪ ROAD, KŌLOA DISTRICT, COUNTY OF KAUAʻI ***(Approved.)***

Resolution No. 2020-39 – RESOLUTION APPROVING A STATE BILL RELATING TO ANIMAL CONTROL SERVICES FOR INCLUSION IN THE 2021 COUNTY OF KAUAʻI LEGISLATIVE PACKAGE ***(Approved.)***

Resolution No. 2020-40 – RESOLUTION APPROVING A STATE BILL RELATING TO HIGHWAY SAFETY FOR INCLUSION IN THE 2021 COUNTY OF KAUAʻI LEGISLATIVE PACKAGE AND THE 2021 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE ***(U-drive Motor Vehicle Registration) (Approved.)***

Resolution No. 2020-41 – RESOLUTION APPROVING A STATE BILL RELATING TO REGISTRATION OF VEHICLES FOR INCLUSION IN THE 2021 COUNTY OF KAUAʻI LEGISLATIVE PACKAGE AND THE 2021 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE ***(Abandoned And/Or Derelict Vehicle Towing) (Approved.)***

Resolution No. 2020-42 – RESOLUTION ESTABLISHING TURN LANES, A CROSSWALK, AND STOP CONTROL FOR THE INTERSECTION OF ALA KALANIKAUMAKA AND LOPAKA PAIPA BOULEVARD, KŌLOA DISTRICT, COUNTY OF KAUAI **(Approved.)**

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2804) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO USES IN THE AGRICULTURE ZONING DISTRICT **(Referred to the Planning Commission.)**

BILLS FOR SECOND READING:

Bill No. 2775, Draft 3 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, BY ESTABLISHING A NEW ARTICLE RESTRICTING THE USE AND SALE OF POLYSTYRENE FOAM FOOD SERVICE CONTAINERS **(Approved.)**

Bill No. 2795 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX **(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)*