

**COUNTY COUNCIL**

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**Council Services Division**  
4396 Rice Street, Suite 209  
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**MEMORANDUM**

August 18, 2021

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Arryl Kaneshiro, Council Chair *AK*  
**RE:** AUGUST 18, 2021 COUNCIL MEETING RECAP

This is to inform you of the action taken by the Council at its August 18, 2021 Council Meeting:

**CONSENT CALENDAR:**

C 2021-182 Communication (08/04/2021) from Councilmember Kualii, transmitting for Council consideration, a Resolution Authorizing The Acquisition Of Land For Public Use, To Wit: The 23.5-Acre Parcel Of Land, Situated At Kilauea, District Of Ko'olau, County Of Kauai, Hawaii, TMK (4) 5-2-005-024, And Determining And Declaring The Necessity Of The Acquisition Thereof By Eminent Domain. *(Received for the Record.)*

**COMMUNICATIONS:**

C 2021-183 Communication (07/08/2021) from the Chief of Police, requesting Council approval to partner with Corteva Agriscience on a Public Safety Messaging campaign, whereby Corteva Agriscience, would make direct payments totaling approximately \$9,000.00 to KONG Radio Station (KQNG FM 93.5), for radio airtime over the course of the remaining 2021 calendar year, and the Kauai Police Department (KPD) would create and read messages on the radio covering various topics (i.e., traffic safety, ocean safety, crime prevention tips et cetera) directed at residents and visitors to Kauai, in return stating sponsorship by Corteva Agriscience. *(Approved.)*

C 2021-184 Communication (07/23/2021) from the Chief of Police and Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval of the indemnification language contained in the subscription service agreement for use of the Garmin GPS devices by Kauai Police Department detectives for search and rescue efforts. *(Approved.)*

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C 2021-185 Communication (07/23/2021) from the Life's Choices Kaua'i Coordinator, requesting Council approval to apply for, receive, and expend additional State funds in the amount of \$110,000.00, and approval to indemnify the State of Hawai'i, Department of Health, Alcohol and Drug Abuse Division (ADAD), Partnership for Success (PFS) grant, for the reoccurring grant period of September 30, 2021 through September 29, 2022, to support coordination for a Substance Abuse Prevention System (SAPS) and provide services to build capacity of the substance abuse prevention system and support implementation of efforts to address underage drinking. **(Approved.)**

C 2021-186 Communication (07/27/2021) from the Housing Director, requesting Council approval to receive and expend Federal funds, in the amount of \$3,050,000.00, from the Homeowner Assistance Program as authorized by the American Rescue Plan Act (ARPA) of 2021 (Public Law No: 117-2), to mitigate financial hardships associated with the Coronavirus pandemic by helping homeowners at risk of losing their housing with payments for qualified expenses related to mortgage and other housing costs. The total subsidy per household may not exceed \$30,000.00. **(Approved.)**

C 2021-187 Communication (07/28/2021) from the Fire Chief, requesting Council approval to receive and expend State funds, in the amount of \$344,962.00, to provide lifeguard services at Kē'e Beach, Hā'ena State Park, from July 1, 2021 through June 30, 2022. **(Approved.)**

C 2021-188 Communication (07/29/2021) from the Deputy Planning Director, transmitting for Council approval a request to apply for, receive, and expend Transit Oriented Development (TOD) Capital Improvement Program (CIP) Planning Funds in an amount of up to \$500,000.00, for pre-planning, master planning, other planning studies, and infrastructure assessment for TOD projects and TOD infrastructure identified through State-County consultation, coordination, and collaboration aligned with shared TOD goals and objectives, and to indemnify the State of Hawai'i in accordance with the State of Hawai'i General Conditions (AG-008 103D) for administering the subject program. **(Approved.)**

C 2021-189 Communication (07/29/2021) from the Deputy Planning Director, transmitting the Planning Commission's recommendation to approve the petition to amend Ordinance No. PM-2006-383, as amended, by Ordinance No. PM-2009-394, Relating to Zoning Designation in Nāwiliwili, Kaua'i. **(Received for the Record.)**

C 2021-190 Communication (08/03/2021) from the Director of Finance, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5, Section 5-2.4, Kaua'i County Code 1987, As Amended, Relating To Motor Vehicle Certificate Of Ownership And Registration Fees. **(Received for the Record.)**

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C 2021-191 Communication (08/03/2021) from the Director of Finance, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 17, Section 17-1.1 Kaua'i County Code 1987, As Amended, Relating To The General Provisions Relating To Motor Vehicles And Traffic Regulations. ***(Received for the Record.)***

C 2021-192 Communication (08/04/2021) from the Executive on Aging, requesting Council approval to receive and expend a total of \$210,453.00 in State General Funds for Fiscal Year 2022, and to indemnify the State Executive Office on Aging, for Kupuna Care services (\$187,843.00) and Elder Abuse Case Management services (\$22,610.00), for the period starting July 1, 2021 through June 30, 2022. ***(Approved.)***

C 2021-193 Communication (08/05/2021) from the Executive on Aging, requesting Council approval to receive and expend a total of \$38,782.00 in State General Funds for State Fiscal Year 2022, and to indemnify the State Executive Office on Aging; funds will be used for the provision of the Aging and Disability Resource Center (ADRC), which includes staff development, outreach, awareness, education, and collaboration with the No Wrong Door (NWD) Network. ***(Approved.)***

C 2021-194 Communication (08/11/2021) from Councilmember Evslin and Councilmember Carvalho, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 8, Kaua'i County Code 1987, As Amended, Relating To The Comprehensive Zoning Ordinance, And Chapter 22, Kaua'i County Code 1987, As Amended, Relating To Public Health, Safety And Welfare ***(Received for the Record.)***

LEGAL DOCUMENT:

C 2021-195 Communication (08/04/2021) from the Acting County Engineer, recommending Council approval of a Grant of Easement made by and between the County of Kaua'i and 4253 Rice Street LLC, conveying Lihu'e Town Core Project Easement Portion of Tax Map Key (TMK) No. (4) 3-7-009:036, Lihu'e, Kaua'i, Hawai'i, for a perpetual non-exclusive easement to build, construct, reconstruct, rebuild, repair, maintain and operate electrical infrastructure, curb, and sidewalk improvements for public access purposes.

- Grant of Easement (Easement A-1, "Fairview Business Tract") ***(Received for the Record.)***

CLAIMS:

C 2021-196 Communication (08/03/2021) from the County Clerk, transmitting a claim filed against the County of Kaua'i by McKenna Allen, for towing fees, 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 2021-197 Communication (08/04/2021) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Foster Lee Brown III, 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 2021-198 Communication (08/04/2021) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Russell Morita, 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 2021-199 Communication (08/09/2021) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Mia Melamed, for towing fees, 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. 2021-27 – RESOLUTION AUTHORIZING THE ACQUISITION OF LAND FOR PUBLIC USE, TO WIT: THE 23.5-ACRE PARCEL OF LAND, SITUATED AT KĪLAUEA, DISTRICT OF KO'OLAU, COUNTY OF KAUAI, HAWAII, TMK (4) 5-2-005-024, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN ***(Public Hearing scheduled for September 15, 2021, and referred to the October 6, 2021 Council Meeting.)***

**BILLS FOR FIRST READING:**

Proposed Draft Bill (No. 2831) – A BILL FOR AN ORDINANCE AMENDING ZONING CONDITIONS IN ORDINANCE NO. PM-2006-383, AS AMENDED BY ORDINANCE NO. PM-2009-394, RELATING TO ZONING DESIGNATION IN NĀWILIWILI, KAUAI ***(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for September 15, 2021, and referred to the Planning Committee.)***

Proposed Draft Bill (No. 2832) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5, SECTION 5-2.4, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO MOTOR VEHICLE CERTIFICATE OF OWNERSHIP AND REGISTRATION FEES ***(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for September 15, 2021, and referred to the Finance & Economic Development Committee.)***

Proposed Draft Bill (No. 2833) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 17, SECTION 17-1.1 KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE GENERAL PROVISIONS RELATING TO MOTOR VEHICLES AND TRAFFIC REGULATIONS (*Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for September 15, 2021, and referred to the Finance & Economic Development Committee.*)

Proposed Draft Bill (No. 2834) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COMPREHENSIVE ZONING ORDINANCE, AND CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO PUBLIC HEALTH, SAFETY AND WELFARE (*Referred to the Planning Commission.*)

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*)