

COUNTY COUNCIL

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MEMORANDUM

October 21, 2021

TO: Derek S.K. Kawakami, Mayor
FROM: Arryl Kaneshiro, Council Chair *AK*
RE: OCTOBER 20, 2021 COUNCIL MEETING RECAP

This is to inform you of the action taken by the Council at its October 20, 2021 Council Meeting:

CONSENT CALENDAR:

C 2021-229 Communication (10/01/2021) from Councilmember Kualii, transmitting for Council consideration, a Resolution Repealing Resolution No. 2014-08 And Acknowledging The Necessity To Expedite Permit Processing For Workforce Housing. *(Received for the Record.)*

C 2021-230 Communication (10/01/2021) from the Director of Finance, transmitting for Council information, the First Quarter Statement of Equipment Purchases for Fiscal Year 2021-2022, pursuant to Section 17 of Ordinance No. B-2021-877, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2021-2022. *(Received for the Record.)*

C 2021-231 Communication (10/05/2021) from Andrew S. Michaels, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from July 1, 2021 through September 30, 2021. *(Received for the Record.)*

C 2021-232 Communication (10/07/2021) from the Acting County Engineer, transmitting for Council consideration, a Resolution Establishing A Crosswalk And A Pedestrian Lane On Kōloa Road, Kōloa District, County of Kaua'i *(Received for the Record.)*

COMMUNICATIONS:

C 2021-233 Communication (09/15/2021) from the Chief of Police, Deputy Chief of Police, and Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to accept and utilize four (4) vehicles acquired through the State of Hawai'i Department of the Attorney General's Asset Forfeiture process, for law enforcement purposes. ***(Approved.)***

C 2021-234 Communication (09/30/2021) from the Executive on Aging, requesting Council approval to receive and expend funding from the State Executive Office on Aging, and Americans Recovery Plan in the amount of \$111,870.00, and indemnify the State Executive Office on Aging for the provision of Senior Center Services that will be contracted to the Department of Parks & Recreation for an array of services, which may include exercise/physical activities and recreation/leisure activities at each of the nine (9) neighborhood centers during the period of December 1, 2021 through December 1, 2023. ***(Approved.)***

C 2021-235 Communication (10/05/2021) from the Planning Director, requesting Council approval to receive and expend a grant from the Department of Health, Chronic Disease Prevention and Health Promotion Division, State of Hawai'i, Special Funds in the amount of \$30,000.00, to implement the "Quick Build" Demonstration Project via Memorandum of Agreement for the period of November 1, 2021 through October 31, 2022. ***(Approved.)***

C 2021-236 Communication (10/05/2021) from the Director of Parks & Recreation, requesting agenda time for a briefing from HHF Planners (Consultants), on the Black Pot Beach Park Master Plan. ***(Received for the Record.)***

C 2021-237 Communication (10/06/2021) from the Director of Finance and the County Attorney, transmitting for Council consideration, A Bill For An Ordinance To Amend Ordinance No. B-2021-877, As Amended, Relating To The Operating Budget Of The County Of Kaua'i, State Of Hawai'i, For The Fiscal Year July 1, 2021 Through June 30, 2022, By Revising The Amounts Estimated In The General Fund, to provide the necessary funding to enable the County to meet its settlement obligations for the duration of the current Fiscal Year. ***(Received for the Record.)***

C 2021-238 Communication (10/07/2021) from the County Attorney, requesting Council approval for authorization to expend funds up to \$50,000.00 to retain special counsel to represent Todd G. Raybuck, individually and in his capacity as Chief of Police for the Kaua'i Police Department in the matter of Paul N. Applegate vs. County of Kaua'i, et al., Civil No. 1:21-CV-364 (U.S. District Court for the District of Hawai'i). ***(Approved.)***

C 2021-239 Communication (10/07/2021) from the Chief of Police, Deputy Chief of Police, and Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to accept a donation from Hawai'i Health and Harm Reduction Center (HHHRC) of thirty-six (36) pieces of Narcan (Naloxone HCL) Nasal Spray 4mg valued at \$4,500.00, to assist in reducing opioid overdose mortality. ***(Approved with thank-you letter to follow.)***

C 2021-240 Communication (10/08/2021) from the Emergency Management Administrator, requesting Council approval to receive and expend Fiscal Year 2021 Homeland Security Grant Program funds, in the amount of \$570,000.00, from the United States Department of Homeland Security, via the State of Hawai'i Department of Defense, for continued use in enhancing the capability of State and local units of government to prevent, deter, respond to, and recover from threats and incidents of terrorism, as well as "all hazards" catastrophic preparedness initiatives prior to December 31, 2023. *(Approved.)*

C 2021-241 Communication (10/08/2021) from the Emergency Management Administrator, requesting Council approval to receive and expend grant funds, in the amount of \$150,000.00, for the Fiscal Year 2021, from the United States Department of Homeland Security, via the State of Hawai'i Department of Defense – Hawai'i Emergency Management Agency, to be used to support two (2) existing Kaua'i Emergency Management Agency staff positions necessary to support the day-to-day prevention, protection, mitigation, response, and recovery activities. *(Approved.)*

C 2021-242 Communication (10/08/2021) from the Managing Director, transmitting for Council consideration, A Bill For An Ordinance Amending Ordinance No. B-2021-877, As Amended, Relating To The Operating Budget Of The County Of Kaua'i, State Of Hawai'i, For The Fiscal Year July 1, 2021 Through June 30, 2022, By Revising The Amounts Estimated In The General Fund to account for and appropriate the revenue from the County of Kaua'i Transient Accommodations Tax (KTAT). *(Received for the Record.)*

LEGAL DOCUMENT:

C 2021-243 Communication (10/07/2021) from the Planning Director, recommending Council approval of a Dedication Deed, from Stephen L. Palama and Kathy S. Palama, conveying to the County of Kaua'i, Lot 130-G-2, Kalāheo Homesteads (Second Series), Kalāheo, Hawai'i, for roadway purposes, situated at Tax Map Key (TMK) No. (4) 2-3-020:001 (portion):

- Dedication Deed *(Approved.)*

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2021-29 – RESOLUTION REPEALING RESOLUTION NO. 2014-08 AND ACKNOWLEDGING THE NECESSITY TO EXPEDITE PERMIT PROCESSING FOR WORKFORCE HOUSING *(Approved.)*

Resolution No. 2021-30 – RESOLUTION ESTABLISHING A CROSSWALK AND A PEDESTRIAN LANE ON KŌLOA ROAD, KŌLOA DISTRICT, COUNTY OF KAUA'I *(Approved as Amended to Resolution No. 2021-30, Draft 1.)*

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2839) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2021-877, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2021 THROUGH JUNE 30, 2022, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*General Liability – \$900,000.00*) (*Approved on 1st Reading, Public Hearing scheduled for November 17, 2021, and referred to the Committee of the Whole.*)

Proposed Draft Bill (No. 2840) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2021-877, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2021 THROUGH JUNE 30, 2022, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*County of Kaua'i Transient Accommodations Tax – \$9,000,000.00*) (*Approved on 1st Reading, Public Hearing scheduled for November 17, 2021, and referred to the Committee of the Whole.*)

BILLS FOR SECOND READING:

Bill No. 2832 – 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 (*Approved as Amended.*)

Bill No. 2833 – 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 (*Approved.*)

Bill No. 2835 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2021-877, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2021 THROUGH JUNE 30, 2022, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*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*)