

COUNTY COUNCIL

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MEMORANDUM

May 4, 2022

TO: Derek S.K. Kawakami, Mayor

FROM: Arryl Kaneshiro, Council Chair **AK**

RE: **MAY 4, 2022 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its May 4, 2022 Council Meeting:

CONSENT CALENDAR:

C 2022-89 Communication (04/11/2022) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of February 15, 2022. ***(Received for the Record.)***

C 2022-90 Communication (04/20/2022) from the Director of Finance, transmitting for Council information, Period 9 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of March 31, 2022, pursuant to Section 21 of Ordinance No. B-2021-877, relating to the Operating Budget of the County of Kaua'i. ***(Received for the Record.)***

C 2022-91 Communication (04/21/2021) from Councilmember Evslin, providing written disclosure of a possible conflict of interest and recusal relating to ES-1073, relating to an Executive Session briefing and request for settlement authority in the matter of Dylan DePue, et al. vs. County of Kaua'i, et al., Civil No. 5CCV-21-000022, due to a personal matter with Mr. DePue. ***(Received for the Record.)***

C 2022-92 Communication (04/22/2022) from the Hawai'i State Association of Counties (HSAC) President, transmitting for Council consideration, HSAC's Fiscal Year 2023 Proposed Operating Budget, pursuant to Section 21 of the Bylaws of the Hawai'i State Association of Counties, Inc. ***(Received for the Record.)***

COMMUNICATIONS:

C 2022-93 Communication (03/24/2022) from the Chief of Police, Deputy Chief of Police, and Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to receive and expend an increase to the original Hawai'i High Intensity Drug Trafficking Area (HIDTA) Grant Award No. G2H10002A, in the amount of \$1,454.58. The increase in award will be used for the HIDTA Prevention Initiative to send an Officer to the Gang/Drug Training on O'ahu and Prevention-related supplies, such as drug prevention videos and media in the schools. The increase would bring the new award amount to \$159,984.58. **(Approved.)**

C 2022-94 Communication (04/11/2022) from the Director of Finance, requesting Council approval to accept the standard terms stated in the Fee Schedule from BNY Mellon Corporate Trust, Trustee for the Kukui'ula CFD project, which includes unspecified future obligations to the trustee engaged for the CFD No. 2008-1 Refunding Bond Series 2022 (*Kukui'ula Development Project*). **(Approved.)**

C 2022-95 Communication (04/13/2022) from the Chief of Police, requesting Council approval to receive and expend Domestic Cannabis Eradication/Suppression Program funding, in the amount of \$35,000.00, which will be used for payment of overtime, renting vehicles and aircraft, training, equipment, and technology for conducting drug enforcement operations both on the island of Kaua'i and with other State, County, and Federal law enforcement agencies in the fight against drug- and gun-related crimes. **(Approved.)**

C 2022-96 Communication (04/14/2022) from Ka'aina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to amend Chapter 11A, Kaua'i County Code 1987, as amended, relating to Environmental Impact Fees. **(Received for the Record.)**

C 2022-97 Communication (04/14/2022) 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 Additional Dwelling Units. **(Received for the Record.)**

C 2022-98 Communication (04/18/2022) from the Acting County Engineer, requesting Council approval to purchase unbudgeted equipment of a scum pump assembly (pump and motor) to be used at the Wailua Wastewater Treatment (WWTP), which will replace the inoperable pump assembly with a similar model, at a cost of \$28,000.00. **(Approved.)**

C 2022-99 Communication (04/20/2022) 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 a Planning Department Transient Vacation Rental Program Account. **(Received for the Record.)**

CLAIM:

C 2022-100 Communication (04/18/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Donald S. Greer, for personal, physical, and punitive damages, 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.

RESOLUTION:

Resolution No. 2022-17 – RESOLUTION APPROVING THE PROPOSED FISCAL YEAR 2022-2023 OPERATING BUDGET FOR THE HAWAII STATE ASSOCIATION OF COUNTIES ***(Deferred.)***

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2856) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 11A, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ENVIROMENTAL IMPACT FEES *(County of Kaua'i Planning Department, Applicant)* (ZA-2022-5) ***(Approved on 1st Reading, Public Hearing scheduled for June 1, 2022, and referred to the Planning Committee.)***

Proposed Draft Bill (No. 2857) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ADDITIONAL DWELLING UNIT *(County of Kaua'i Planning Department, Applicant)* (ZA-2022-6) ***(Approved on 1st Reading, Public Hearing scheduled for June 1, 2022, and referred to the Planning Committee.)***

Proposed Draft Bill (No. 2858) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO A PLANNING DEPARTMENT TRANSIENT VACATION RENTAL PROGRAM ACCOUNT *(County of Kaua'i Planning Department, Applicant)* (ZA-2022-7) ***(Approved on 1st Reading, Public Hearing scheduled for June 1, 2022, and referred to the Planning Committee.)***

BILLS FOR SECOND READING:

Bill No. 2846 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUA'I COUNTY CODE 1987, AS AMENDED, BY REPEALING ARTICLE 10, RELATING TO VALUATION OF WASTELAND ***(Approved.)***

Council Meeting Follow-up Memorandum to the Mayor

May 4, 2022

Page 4

Bill No. 2847 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, BY REPEALING SECTION 5A-11.25, RELATING TO ORCHARD DEVELOPMENT EXEMPTION **(Approved.)**

Bill No. 2850 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 1 BETWEEN JULY 1, 2021 AND JUNE 30, 2025 **(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)*