

COUNTY COUNCIL

Arryl Kaneshiro, Chair
Mason K. Chock, Vice Chair
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Luke A. Evslin
KipuKai Kualii'i



OFFICE OF THE COUNTY CLERK

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

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
E-mail: cokcouncil@kauai.gov

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

MEMORANDUM

July 7, 2022

TO: Derek S.K. Kawakami, Mayor
FROM: Arryl Kaneshiro, Council Chair **AK**
RE: **JULY 6, 2022 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its July 6, 2022 Council Meeting:

CONSENT CALENDAR:

C 2022-140 Communication (06/03/2022) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee John P. Venardos to the Salary Commission – Term ending 12/31/2024. ***(Received for the Record.)***

C 2022-142 Communication (06/16/2022) from the Director of Finance, transmitting for Council information, Period 11 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of May 31, 2022, pursuant to Section 21 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 2022-143 Communication (06/22/2022) from the Hawai'i State Association of Counties (HSAC) President, transmitting for Council consideration, HSAC's nomination of Councilmember KipuKai Kualii'i, County of Kaua'i, and Councilmember Tommy Waters, City and County of Honolulu, to serve on the Board of Directors for the National Association of Counties (NACo), and nominations of Councilmember Shane Sinenci, County of Maui, and Councilmember Sue Lee Loy, County of Hawai'i, to serve on the Board of Directors for the Western Interstate Region (WIR), pursuant to Section 5A and Section 5C of the Bylaws of the Hawai'i State Association of Counties, Inc. ***(Received for the Record.)***

COMMUNICATIONS:

C 2022-141 Communication (06/08/2022) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Jerry Ornellas (Environmental) to the Planning Commission for a partial term ending 12/31/2022. ***(Received for the Record.)***

C 2022-144 Communication (06/06/2022) from the Managing Director, transmitting for Council consideration, A Bill For An Ordinance Adding A New Article To Chapter 15, Kaua'i County Code 1987, As Amended, Relating To Building And Construction Regulations. ***(Received for the Record.)***

C 2022-145 Communication (06/08/2022) 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, Līhu'e, Hawai'i, 96766, Tax Map Key (TMK): (4) 3-5-001-165-0030, for a purchase price of not more than \$189,850.00; purchase price is based on the KCHA Repurchase Disclosure Schedule;
- b. Approve the resale of 3920 Haoa Street, Līhu'e, Hawai'i, 96766, by fee simple for not more than \$191,650.00 as determined by the Kaua'i County Housing Agency (KCHA) Repurchase Disclosure Schedule plus approximately \$20,000.00 for unit rehabilitation; and
- c. Authorize the County Clerk to sign legal documents related to the acquisition and resale transactions. ***(Approved.)***

C 2022-146 Communication (06/09/2022) from the Executive on Transportation, requesting Council approval to apply for (after the fact), receive, and expend a Federal Transit Administration (FTA) Section 5311 grant, in the amount of \$1,071,873.00, for operational expenses for the County of Kaua'i Department of Transportation. The indemnification was previously approved through C 2022-26 under CKTAMOA-01, and umbrella Memorandum of Agreement (MOA) for all grants under the FTA for 2021-2026. ***(Approved.)***

C 2022-147 Communication (06/15/2022) from the Housing Director, requesting Council approval to receive and expend Hawai'i Housing Finance and Development Corporation (HHFDC) funds, in the amount of \$1,977,568.00, from the HOME Investment Partnership Program – American Rescue Plan (HOME-ARP), which will be used for the Lima Ola, Phase I Permanently Supportive Housing Development in 'Ele'ele, and to indemnify the HHFDC. ***(Approved.)***

C 2022-148 Communication (06/16/2022) from the Executive on Transportation, requesting Council approval to apply for, receive, and expend a Fiscal Year 2022 Federal Transit Administration (FTA) Section 5339(c) Low or No Emission (Low-No) Bus Program competitive grant, in the amount of \$5,365,214.00, and FTA Section 5339(b) Bus and Bus Facilities Program competitive grant in the amount of \$6,687,892.00. The 5339(b) grant will provide eighty-five percent (85%) of the cost to replace four (4) diesel-powered buses that have exceeded their useful service lives, with four (4) electric-powered buses, along with charging infrastructure, and the Agency's base yard expansion projects, as recommended in the Kaua'i Multimodal Land Transportation Plan and the Kaua'i Short-Range Transit Plan. ***(Approved.)***

C 2022-149 Communication (06/23/2022) from the Acting County Engineer, transmitting for Council consideration, A Bill For An Ordinance Amending Sections 25-11.1, 25-12.1, 25-13.4, And 25-13.9 Of The Kaua'i County Code 1987, As Amended, Relating To Sewers. ***(Received for the Record.)***

C 2022-150 Communication (06/28/2022) from Councilmember DeCosta and Councilmember Evslin, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Sections 5A-6.4, 5A-8.1(g), 5A-9.1, And 5A-11.23(a), Kaua'i County Code 1987, As Amended, Relating To Real Property Tax. ***(Received for the Record.)***

LEGAL DOCUMENT:

C 2022-151 Communication (06/09/2022) from the Acting County Engineer, recommending Council approval of the indemnification provisions contained in the Grant of Easement for a Shared-Use Path Easement by and between the County of Kaua'i and Coconut Plantation Beach Investors, LLC, for perpetual non-exclusive easement to build, construct, reconstruct, rebuild, repair, maintain, and operate a bike and pedestrian shared-use path for public access purposes, including a parking lot, comfort station, utility connections, and ancillary facilities under, upon, across, and through a portion of that beforementioned property, situated at Tax Map Key (TMK) No. (4) 4-3-007:027 (Portion), Kapa'a, Kaua'i, Hawai'i.

- Grant of Easement ***(Approved.)***

CLAIMS:

C 2022-152 Communication (06/09/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Hooklifts Hawai'i LLC, for damage to their equipment rental, 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 2022-153 Communication (06/16/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Michaela Widener, for vehicle damage, 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 2022-154 Communication (06/24/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Subro Claims, Inc. o/b/o for Geico Insurance, as subrogee for James Brown, for vehicle damage, 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. 2022-23 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE SALARY COMMISSION *(John P. Venardos)* ***(Approved.)***

Resolution No. 2022-24 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE PLANNING COMMISSION *(Jerry Ornellas – Environmental)* ***(Approved.)***

Resolution No. 2022-25 – RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES NOMINEES TO THE NATIONAL ASSOCIATION OF COUNTIES BOARD OF DIRECTORS AND THE WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR FISCAL YEAR 2022-2023 ***(Approved.)***

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2873) – A BILL FOR AN ORDINANCE ADDING A NEW ARTICLE TO CHAPTER 15, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO BUILDING AND CONSTRUCTION REGULATIONS ***(Approved on 1st Reading, Public Hearing scheduled for August 3, 2022, and referred to the Public Works & Veterans Services Committee.)***

Proposed Draft Bill (No. 2874) – A BILL FOR AN ORDINANCE AMENDING SECTIONS 25-11.1, 25-12.1, 25-13.4, AND 25-13.9 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO SEWERS ***(Approved on 1st Reading, Public Hearing scheduled for August 3, 2022, and referred to the Public Works & Veterans Services Committee.)***

Proposed Draft Bill (No. 2875) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, SECTIONS 5A-6.4, 5A-8.1(g), 5A-9.1, AND 5A-11.23(a), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX ***(Approved on 1st Reading, Public Hearing scheduled for August 3 2022, and referred to the Finance & Economic Development Committee.)***

BILLS FOR SECOND READING:

Bill No. 2856 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 11A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ENVIRONMENTAL IMPACT FEES (*County of Kauai Planning Department, Applicant*) (ZA-2022-5) **(Approved.)**

Bill No. 2857 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ADDITIONAL DWELLING UNIT (*County of Kauai Planning Department, Applicant*) (ZA-2022-6) **(Approved.)**

Bill No. 2858, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO A PLANNING DEPARTMENT TRANSIENT VACATION RENTAL PROGRAM ACCOUNT (*County of Kauai Planning Department, Applicant*) (ZA-2022-7) **(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*)