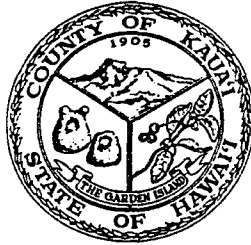


**COUNTY COUNCIL**

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



**OFFICE OF THE COUNTY CLERK**

Jade K. Fountain-Tanigawa, 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**

October 19, 2022

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Arryl Kaneshiro, Council Chair *AK*  
**RE:** **OCTOBER 19, 2022 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its October 19, 2022 Council Meeting:

**CONSENT CALENDAR:**

C 2022-236 Communication (08/30/2022) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Mary Kay Hertog to the Police Commission – Term ending 12/31/2023. *(Received for the Record.)*

C 2022-237 Communication (10/04/2022) from Mark L. Bradbury, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from July 1, 2022 through September 30, 2022. *(Received for the Record.)*

C 2022-238 Communication (10/04/2022) from the Director of Parks & Recreation, transmitting for Council consideration, a Resolution Naming The Gym At Kilauea Neighborhood Center "Bill Troutman Gym" In Honor Of The Late William "Bill" Troutman. *(Received for the Record.)*

C 2022-239 Communication (10/05/2022) from the Acting County Engineer, transmitting for Council consideration, a Resolution Authorizing The Mayor Or The Director Of Finance Of The County Of Kaua'i To Enter Into An Intergovernmental Agreement With The State Of Hawai'i, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The 'Ele'ele Subdivision Collection System Rehabilitation, Project No. C150050-12. *(Received for the Record.)*

Council Meeting Follow-up Memorandum to the Mayor

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C 2022-240 Communication (10/05/2022) from the Acting County Engineer, transmitting for Council consideration, a Resolution Amending Resolution No. 2018-33, Authorizing The Mayor And The Director Of Finance Of The County Of Kaua'i To Enter Into An Intergovernmental Agreement With The State Of Hawai'i, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Wailua Sewage Pump Station (SPS) No. 1 Rehabilitation, Project No. C150055-11. ***(Received for the Record.)***

C 2022-241 Communication (10/05/2022) from the Acting County Engineer, transmitting for Council consideration, a Resolution Amending Resolution No. 2021-21, Authorizing The Mayor And The Director Of Finance Of The County Of Kaua'i To Enter Into An Intergovernmental Agreement With The State Of Hawai'i, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Waimea R-1 Wastewater Distribution System Upgrades, Project No. C150047-09. ***(Received for the Record.)***

C 2022-242 Communication (10/05/2022) from the Acting County Engineer, transmitting for Council consideration, a Resolution Establishing No Parking Of Certain Vehicles Along Puhi Road, Līhu'e, restricting parking of vehicles with six (6) wheels or more along a portion of Puhi Road. ***(Received for the Record.)***

C 2022-243 Communication (10/05/2022) from the Acting County Engineer, transmitting for Council consideration, a Resolution Authorizing The Mayor And The Director Of Finance Of The County Of Kaua'i To Enter Into An Intergovernmental Agreement With The State Of Hawai'i, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Design And Construction Of Best Management Practice (BMP) Improvements At Various Kaua'i Refuse Transfer Stations (Project No. C150059-25). ***(Received for the Record.)***

COMMUNICATIONS:

C 2022-235 Communication (09/28/2022) from the Managing Director, requesting Council approval to apply for, receive, and expend the second allocation of assistance for State, Local, and Tribal Governments – Coronavirus State and Local Fiscal Recovery Funds from the United States Department of Treasury, in the amount of approximately \$10,804,436.00, appropriated by the U.S. Congress as part of the American Rescue Plan Act (ARPA) of 2021, to be used for budget priorities discussed during this agenda item. ***(Approved.)***

C 2022-244 Communication (09/23/2022) from the Chief of Police and Elliott K. Ke, Assistant Chief of Police, requesting Council approval, to receive and expend Federal funds, in the amount of \$444,758.99, from the recurring National Highway Traffic Safety Administration (NHTSA) grant to be used towards the following four (4) primary traffic related functions: Traffic Records, Impaired Driving and Youth Deterrence, Police Traffic Services, and Occupant Protection, to include purchase of equipment, supplies, training, and travel expenses. ***(Approved.)***

Council Meeting Follow-up Memorandum to the Mayor

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C 2022-245 Communication (10/06/2022) from the Acting County Engineer, requesting Council approval to purchase unbudgeted equipment due to urgency to replace equipment as a result of unanticipated mechanical failure with a total of \$389,690.48 for the following:

- Wailua Screw pump – \$175,000.00
- Līhu‘e Clarifier Replacement parts – \$85,222.48
- Līhu‘e Diskfilter programmable logic controller – \$55,000.00
- ‘Ele‘ele Froth Sprays – \$74,468.00 (*Approved.*)

C 2022-246 Communication (10/12/2022) from Councilmember Evslin and Councilmember DeCosta, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Section 5A-6.3(g), Kaua‘i County Code 1987, As Amended, Relating To Real Property Tax (*Ni‘ihau Minimum Tax*). (*Received for the Record.*)

COMMITTEE REPORTS: **APPROVED.**

RESOLUTIONS:

Resolution No. 2022-42 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE POLICE COMMISSION (*Mary Kay Hertog*) (*Approved.*)

Resolution No. 2022-43 – RESOLUTION NAMING THE GYM AT KĪLAUEA NEIGHBORHOOD CENTER “BILL TROUTMAN GYM” IN HONOR OF THE LATE WILLIAM “BILL” TROUTMAN (*Approved.*)

Resolution No. 2022-44 – RESOLUTION AUTHORIZING THE MAYOR OR THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE ‘ELE‘ELE SUBDIVISION COLLECTION SYSTEM REHABILITATION, PROJECT NO. C150050-12 (*Approved.*)

Resolution No. 2022-45 – RESOLUTION AMENDING RESOLUTION NO. 2018-33, AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE WAILUA SEWAGE PUMP STATION (SPS) NO. 1 REHABILITATION, PROJECT NO. C150055-11 (*Approved.*)

Resolution No. 2022-46 – RESOLUTION AMENDING RESOLUTION NO. 2021-21, AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE WAIMEA R-1 WASTEWATER DISTRIBUTION SYSTEM UPGRADES, PROJECT NO. C150047-09 ***(Approved.)***

Resolution No. 2022-47 – RESOLUTION ESTABLISHING NO PARKING OF CERTAIN VEHICLES ALONG PUHI ROAD, LIHU'E ***(Approved.)***

Resolution No. 2022-48 – RESOLUTION AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE DESIGN AND CONSTRUCTION OF BEST MANAGEMENT PRACTICE IMPROVEMENTS AT VARIOUS KAUAI REFUSE TRANSFER STATIONS, PROJECT NO. C150059-25 ***(Approved.)***

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2889) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, SECTION 5A-6.3(g), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX *(Ni‘ihau Minimum Tax)* ***(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for November 16, 2022, and referred to the Committee of the Whole.)***

BILLS FOR SECOND READING:

Bill No. 2880 – A BILL FOR AN ORDINANCE AMENDING THE STATE LAND USE DISTRICT BOUNDARY CONCERNING A PARCEL IN KAPA‘A HOMESTEADS, KAUAI *(Manuel DeSilva, Jr., Trustee, Applicant)* (A-2022-1) ***(Approved.)***

Bill No. 2881 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATION IN KAPA‘A HOMESTEADS, KAUAI *(Manuel DeSilva, Jr., Trustee, Applicant)* (ZA-2022-13) ***(Approved.)***

Bill No. 2882 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO CAMPGROUNDS *(Kauai County Council, Applicant)* (ZA-2022-10 – *Planning Commission Recommendation*) ***(Approved.)***

Bill No. 2883 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 12 BETWEEN JULY 1, 2021 AND JUNE 30, 2025 (*Approved.*)

Bill No. 2884 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 15 BETWEEN JULY 1, 2021 AND JUNE 30, 2025 (*Approved.*)

Bill No. 2885, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 10, ARTICLE 3, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO THE WEST KAUA'I COMMUNITY PLAN IMPLEMENTING ORDINANCE (*County of Kaua'i Planning Department, Applicant*) (ZA-2022-9) (*Approved.*)

Bill No. 2886, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO COMPREHENSIVE ZONING ORDINANCE DEFINITIONS (*County of Kaua'i Planning Department, Applicant*) (ZA-2022-14) (*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*)