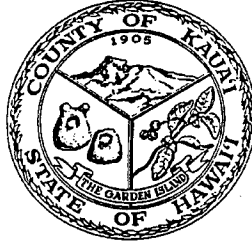


COUNTY COUNCIL

Arryl Kaneshiro, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Felicia Cowden
Luke A. Evslin
KipuKai Kualii



OFFICE OF THE COUNTY CLERK

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

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

MEMORANDUM

May 29, 2019

TO: Derek S.K. Kawakami, Mayor
FROM: Arryl Kaneshiro, Council Chair *AK*
RE: **MAY 29, 2019 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its May 29, 2019 Council Meeting:

CONSENT CALENDAR:

C 2019-110 Communication (05/08/2019) from the Mayor, submitting his Supplemental Budget Communication for Fiscal Year 2019-2020 and Proposed Amendments to the Budget Bills, pursuant to Section 19.02A of the Kaua'i County Charter. *(Received for the Record.)*

C 2019-111 Communication (05/06/2019) from Council Chair Kaneshiro, providing written disclosure of a possible conflict of interest and recusal relating to Agenda item C 2019-108, "Right-of-Entry Agreement by and between the County of Kaua'i and Grove Farm Company, Inc., TMK No. (4) 2-8-005:006," due to his employment with Grove Farm Company, Inc. *(Received for the Record.)*

C 2019-112 Communication (05/08/2019) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of February 5, 2019. *(Received for the Record.)*

C 2019-113 Communication (05/09/2019) from Councilmember Cowden, providing written disclosure of a possible conflict of interest and recusal relating to Agenda item C 2019-102, a request for Council approval to accept a donation from the Russian Center New York for travel-related expenses (approximately \$2,000 - \$3,000) to participate in a peace conference as part of a delegation from the United States of America to Vologda, Russia. *(Received for the Record.)*

C 2019-114 Communication (05/16/2019) from the Director of Finance, transmitting for Council information, the Period 7 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of January 31, 2019, pursuant to Section 21 of Ordinance No. B-2018-841, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2018-2019. *(Received for the Record.)*

C 2019-115 Communication (05/16/2019) from the Hawai'i State Association of Counties (HSAC) President, transmitting for Council approval, HSAC's Fiscal Year 2020 Proposed Operating Budget, and HSAC's Board of Director nominations for the National Association of Counties (NACo) and the Western Interstate Region (WIR) for the 2019-2020 term, pursuant to Section 5, Section 5A, and Section 5C of the Bylaws of the Hawai'i State Association of Counties, Inc. *(Received for the Record.)*

COMMUNICATIONS:

C 2019-116 Communication (04/16/2019) 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 Zoning Designation in Puhi, Kaua'i. *(Received for the Record.)*

C 2019-117 Communication (04/24/2019) from the Deputy County Engineer, requesting Council approval to apply for, receive, and expend State funds in the anticipated amount of \$461,000.00, from the State of Hawai'i Department of Health (DOH), and to indemnify the State DOH for the Fiscal Year 2020 grant cycle for the HI-5 Deposit Beverage Container Program (\$301,000.00) and the Electronic Waste Recycling Program (\$160,000.000). *(Approved.)*

C 2019-118 Communication (05/03/2019) from the Mayor, transmitting for Council consideration, the cost items for the United Public Workers (UPW) Bargaining Unit 1 for the period July 1, 2019 through June 30, 2021, the additional terms of the Collective Bargaining Agreement affecting the last two (2) years of the contract were recently ratified by the employees of Bargaining Unit 1. *(Received for the Record.)*

C 2019-119 Communication (05/08/2019) from the Deputy Fire Chief, requesting Council approval, to accept a donation from the Friends of Kaua'i Fire Department, of a Low Altitude Rapid Opening (LARO) parachute system, valued at \$7,519.00, for the County of Kaua'i Fire Department. *(Approved with thank-you letter to follow.)*

C 2019-120 Communication (05/16/2019) from the Director of Planning, requesting Council approval, to receive and expend Federal/State funds for the Hawai'i Coastal Zone Management (CZM) Program in an amount up to \$335,236.00, 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. The pass-through funding will be utilized to continue the implementation of the CZM Program on Kaua'i commencing July 1, 2019 to June 30, 2020. Funding will be expended on salaries/wages, travel, equipment, and supplies for the CZM Program, specifically for the implementation and enforcement of the Special Management Area Rules and Regulations of the County of Kaua'i and Shoreline Setback provisions of Chapter 8 of the Kaua'i County Code. ***(Approved.)***

C 2019-121 Communication (05/17/2019) from the Director of Finance, requesting Council approval, to apply, receive, and expend Federal Emergency Management Agency (FEMA) funding to defer disaster related costs due to Hurricane Lane which occurred in August 2018. The total amount of public assistance requested for Hurricane Lane is \$2,590,206.22. ***(Approved.)***

LEGAL DOCUMENT:

C 2019-122 Communication (05/02/2019) from the Mayor, requesting Council approval of Dedication Deed (Koheha Lot – Lot 3B (Sewer Pump Station)) from D.R. Horton – Schuler Homes, LLC, to the County of Kaua'i, located at Hanamā'ulu, Līhu'e, Hawai'i, Tax Map Key (TMK) No. (4) 3-7-003-030 (por.).

- Dedication Deed
(Approved.)

CLAIMS:

C 2019-123 Communication (05/06/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Jennifer Tomacder parent of Xoen Duarte, for personal injury, 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 2019-124 Communication (05/09/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by James Vaughn, 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 2019-125 Communication (05/13/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Carlos Canales, 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 2019-126 Communication (05/21/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Darryl D. Perry, for lost of income, constructive discharge, and impugned reputation, pursuant 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. 2019-23 – RESOLUTION ESTABLISHING THE REAL PROPERTY TAX RATES FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020 FOR THE COUNTY OF KAUA'I *(Approved.)*

Resolution No. 2019-36 – RESOLUTION APPROVING THE FISCAL YEAR 2020 PROPOSED OPERATING BUDGET FOR THE HAWAII STATE ASSOCIATION OF COUNTIES *(Approved.)*

Resolution No. 2019-37 – RESOLUTION APPROVING NOMINEES TO THE NATIONAL ASSOCIATION OF COUNTIES BOARD OF DIRECTORS AND NOMINEES TO THE WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR FISCAL YEAR 2020 *(Approved.)*

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2752) – A BILL FOR AN ORDINANCE AMENDING ZONING DESIGNATION IN PUHI, KAUA'I *(Island School, Applicant) (ZA-2019-2) (Approved on 1st reading, Public Hearing scheduled for June 26, 2019, and referred to the Planning Committee.)*

Proposed Draft Bill (No. 2753) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 1 BETWEEN JULY 1, 2019 AND JUNE 30, 2021 *(Approved on 1st reading, Public Hearing scheduled for June 26, 2019, and referred to the Committee of the Whole.)*

BILLS FOR SECOND READING:

Bill No. 2738, Draft 1 – A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET AND FINANCING THEREOF FOR FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020 *(Fiscal Year 2019-2020 Operating Budget) (Approved.)*

Bill No. 2739, Draft 1 – A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020 *(Fiscal Year 2019-2020 CIP Budget) (Approved.)*

Council Meeting Follow-up Memorandum to the Mayor

May 29, 2019

Page 5

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*)