

**COUNTY COUNCIL**

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**Council Services Division**  
4396 Rice Street, Suite 209  
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**MEMORANDUM**

March 26, 2020

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Arryl Kaneshiro, Council Chair **AK**  
**RE:** **MARCH 25, 2020 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its March 25, 2020 Council Meeting:

**CONSENT CALENDAR:**

C 2020-81 Communication (02/10/2020) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Helen A. Cox (Environmental) to the Planning Commission – Term ending 12/31/2020. ***(Received for the Record.)***

C 2020-82 Communication (02/19/2020) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Francis Paul DeGracia, Jr. (Labor) to the Planning Commission – Term ending 12/31/2022. ***(Received for the Record.)***

C 2020-83 Communication (02/28/2020) from the Director of Finance, transmitting for Council information, the 2020 Real Property Assessment List of the County of Kaua'i, pursuant to Section 5A-2.2, Kaua'i County Code 1987, as amended. ***(Received for the Record.)***

C 2020-84 Communication (03/02/2020) from the Director of Finance, transmitting for Council information, the Period 6 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of December 31, 2019, pursuant to Section 21 of Ordinance No. B-2019-856, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2019-2020. ***(Received for the Record.)***

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C 2020-85 Communication (03/03/2020) from the Housing Director, transmitting for Council consideration, a Resolution Authorizing The Filing Of The Kaua'i County 2020 Action Plan (Community Development Block Grant) With The Department Of Housing And Urban Development, United States Of America, For A Grant Under Title I Of The Housing And Community Development Act Of 1974 And 1987 (Public Laws 93-383 And 100-242), As Amended. ***(Received for the Record.)***

C 2020-86 Communication (03/04/2020) from the Housing Director, transmitting for Council consideration, a Resolution Authorizing The Filing Of The Kaua'i County 2020 Action Plan (HOME Investment Partnership Program) With The Department Of Housing And Urban Development, United States Of America, For A Grant Under Title II Of The Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), As Amended. ***(Received for the Record.)***

C 2020-87 Communication (03/04/2020) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of November 7, 2019. ***(Received for the Record.)***

C 2020-88 Communication (03/11/2020) from Council Chair Kaneshiro, providing written disclosure of a possible conflict of interest and recusal relating to C 2020-73, regarding the Property Adjustment Agreements for the clearing of debris and dredged material from the Waihohonu Stream, as he is employed with Grove Farm, Incorporated. ***(Received for the Record.)***

C 2020-89 Communication (03/12/2020) from Council Chair Kaneshiro, transmitting for Council consideration, a Resolution Amending Resolution No. 2019-03 Relating To The Appointment Of The Chairpersons, Vice Chairpersons, And Members Of The Several Standing Committees Of The Council Of The County Of Kaua'i. ***(Received for the Record.)***

C 2020-90 Communication (03/13/2020) from Council Chair Kaneshiro, transmitting for Council consideration, a Resolution Amending Resolution No. 2019-02, Relating To The Rules Of The Council Of The County Of Kaua'i For The Organization Of Committees And The Transaction Of Business. ***(Received for the Record.)***

C 2020-91 Communication (03/13/2020) from the Director of Human Resources, transmitting for Council information, the March 15, 2020 Vacancy Report, pursuant to Section 24 of Ordinance No. B-2019-856, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2019-2020. ***(Received for the Record.)***

C 2020-92 Communication (03/13/2020) from the Director of Finance, transmitting for Council information, supplemental real property tax revenue information pertaining to the estimated reduction in real property tax revenues resulting from the Home Preservation Limit and Very Low Income tax relief measures enacted by the Kaua'i County Council, factored with the existing real property tax rates, and based on the Real Property Assessment Certification for Fiscal Year 2021. ***(Received for the Record.)***

COMMUNICATIONS:

C 2020-93 Communication (02/20/2020) from Elliott K. Ke, Captain, Office of the Chief of Police, requesting Council approval of the indemnification provision in the End User License Agreement (EULA) and Terms and Conditions for the Kaua'i Police Department's small Unmanned Aircraft System (sUAS), to allow the Kaua'i Police Department (KPD) to procure the software license for the Pix4D mapping software to produce high quality visual and measurement images through the use of the Department's sUAS program. ***(Approved.)***

C 2020-94 Communication (02/26/2020) from Ka'āina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to amend Chapter 8, Section 8-2.4, Kaua'i County Code 1987, as amended, relating to the Table of Uses. ***(Received for the Record.)***

C 2020-95 Communication (02/28/2020) from the Salary Commission, transmitting for the Council's information and consideration, the Salary Commission's Resolution No. 2020-1 and Resolution No. 2020-2, Relating to the Salaries of Certain Officers and Employees of the County of Kaua'i, which was adopted by the Salary Commission at its January 23, 2020 meeting.

- Salary Commission Resolution No. 2020-1 ***(Rejected in its entirety.)***
- Salary Commission Resolution No. 2020-2 ***(Received for the Record.)***

C 2020-96 Communication (03/03/2020) from the Housing Director, requesting Council approval to receive and expend the Reversion of Capital Improvement Project (CIP) Funds from the State Department of Land and Natural Resources (DLNR) in the amount of \$195,081.48 to the County of Kaua'i, for the Spark Matsunaga Memorial at Kealaula located on the Pua Loke project. ***(Approved.)***

C 2020-97 Communication (03/04/2020) from the Executive on Transportation, requesting Council approval to apply for, receive, and expend, a Fiscal Year 2020 Federal Transit Administration (FTA) Section 5339(c) Low or No Emission (Low-No) Bus Program competitive grant, in the amount of \$2,550,000.00, and to indemnify the FTA. This Section 5339(c) grant will provide eighty-five percent (85%) of the cost to replace three (3) diesel-powered buses exceeding their useful service lives with three (3) electric-powered buses, and provide for the design and construction of depot charger ports required for electric bus charging. ***(Approved.)***

C 2020-98 Communication (03/05/2020) from the Acting County Engineer, requesting Council approval to use existing budgeted funds to reprioritize the purchase of a backhoe to an unbudgeted excavator at a cost of \$130,000.00, which will be utilized at the Hanalei Refuse Transfer Station. **(Approved.)**

C 2020-99 Communication (03/09/2020) from Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, recommending Council approval:

- a. To enter into a Letter of Agreement (LOA) reimbursement program with the Drug Enforcement Administration (DEA) of the United States Department of Justice (DOJ), to provide as well as receive assistance from other Police Departments, State and Federal Agencies in the fight against drug, gun, and persons related crimes;
- b. To receive \$42,000.00 as payment for overtime, vehicle and aircraft rentals, training, replacement of old equipment, and purchase of new technology; and
- c. Of the indemnification provisions contained in Agreement Number 2020-59. **(Approved.)**

C 2020-100 Communication (03/11/2020) from the Director of Human Resources, transmitting for Council consideration, the cost items for the Hawai'i Government Employees Association (HGEA) Bargaining Unit 4 for period July 1, 2019 to June 30, 2021, pursuant to Hawai'i Revised Statutes (HRS) Section 89-11 Kaua'i County Charter Section 19.13B. The terms of the Collective Bargaining Agreement were recently ratified by the employees of Bargaining Unit 4. **(Received for the Record.)**

C 2020-101 Communication (03/11/2020) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds in the amount of \$284,784.00, and approval to indemnify the State of Hawai'i, Department of Attorney General, for the Kaua'i Victims of Crime Act (VOCA) Expansion Project 18-V2-03 for the period of July 1, 2020 through June 30, 2021. **(Approved.)**

C 2020-102 Communication (03/13/2020) from the Mayor, transmitting his Fiscal Year 2020-2021 Budget Message, along with the proposed Operating Budget, Capital Improvement Projects (CIP) Budget, and Schedule of Charges and Fees. **(Received for the Record.)**

C 2020-103 Communication (03/13/2020) from the Mayor, transmitting for Council consideration, the following revenue bills related to Administration's Fiscal Year 2020-2021 March Budget Submittal:

- A Bill For An Ordinance Amending Chapter 5, Kaua'i County Code 1987, As Amended, Relating To Motor Vehicles Certificate Of Ownership And Registration Fees;
- A Bill For An Ordinance Amending Chapter 19, Section 19-1.9, Kaua'i County Code 1987, As Amended, Relating To Schedule Of Fees And Deposits;

- A Bill For An Ordinance Amending Chapter 19, Kaua'i County Code 1987, As Amended, Relating To Camping On County Parks And Properties;
- A Bill For An Ordinance Amending Chapter 19, Section 19-3.2, Kaua'i County Code 1987, As Amended, Relating To Playing Fees;
- A Bill For An Ordinance Amending Chapter 19, Section 19-4.6, Kaua'i County Code 1987, As Amended, Relating To Fees;
- A Bill For An Ordinance Amending Chapter 21, Section 21-9.1, Kaua'i County Code 1987, As Amended, Relating To Integrated Solid Waste Management;
- A Bill For An Ordinance Amending Subsection (a) Of Section 21-9.2, Kaua'i County Code 1987, As Amended, Relating To Integrated Solid Waste Management; and
- A Bill For An Ordinance Amending Subsections Of Section 25-11.1, 25-12.1, 25-13.4 And 25-13.9, Of The Kaua'i County Code 1987, Relating To Sewers. ***(Received for the Record.)***

**RESOLUTIONS:**

Resolution No. 2020-16 – RESOLUTION ESTABLISHING THE REAL PROPERTY TAX RATES FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021 FOR THE COUNTY OF KAUAI ***(Public Hearing scheduled for May 13, 2020 at 5:00 p.m., and referred to the Committee of the Whole.)***

Resolution No. 2020-17 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE PLANNING COMMISSION ***(Helen A. Cox) (Approved.)***

Resolution No. 2020-18 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE PLANNING COMMISSION ***(Francis Paul DeGracia, Jr.) (Approved.)***

Resolution No. 2020-19 – RESOLUTION AUTHORIZING THE FILING OF THE KAUAI COUNTY 2020 ACTION PLAN (COMMUNITY DEVELOPMENT BLOCK GRANT) WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AND 1987 (PUBLIC LAWS 93-383 AND 100-242), AS AMENDED ***(Approved.)***

Resolution No. 2020-20 – RESOLUTION AUTHORIZING THE FILING OF THE KAUAI COUNTY 2020 ACTION PLAN (HOME INVESTMENT PARTNERSHIP PROGRAM) WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER TITLE II OF THE CRANSTON-GONZALEZ NATIONAL AFFORDABLE HOUSING ACT (PUBLIC LAW 101-625), AS AMENDED ***(Approved.)***

Resolution No. 2020-21 – RESOLUTION AMENDING RESOLUTION NO. 2019-03 RELATING TO THE APPOINTMENT OF THE CHAIRPERSONS, VICE CHAIRPERSONS, AND MEMBERS OF THE SEVERAL STANDING COMMITTEES OF THE COUNCIL OF THE COUNTY OF KAUAI **(Approved.)**

Resolution No. 2020-22 – RESOLUTION AMENDING RESOLUTION NO. 2019-02 RELATING TO THE RULES OF THE COUNCIL OF THE COUNTY OF KAUAI FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS **(Approved.)**

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2779) – A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021 *(Fiscal Year 2020-2021 Operating Budget)* **(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for May 13, 2020 at 5:00 p.m., and referred to the Committee of the Whole.)**

Proposed Draft Bill (No. 2780) – A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021 *(Fiscal Year 2020-2021 CIP Budget)* **(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for May 13, 2020 at 5:00 p.m., and referred to the Committee of the Whole.)**

Proposed Draft Bill (No. 2781) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COMMERCIAL ZONING DISTRICT OF THE COMPREHENSIVE ZONING ORDINANCE TO IMPLEMENT THE 2018 GENERAL PLAN UPDATE *(County of Kauai Planning Department, Applicant) (ZA-2020-6)* **(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for April 22, 2020, and referred to the Planning Committee.)**

Proposed Draft Bill (No. 2782) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR HGEA BARGAINING UNIT 4 BETWEEN JULY 1, 2019 AND JUNE 30, 2021 **(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for April 22, 2020, and referred to the Committee of the Whole.)**

Proposed Draft Bill (No. 2783) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO MOTOR VEHICLE CERTIFICATE OF OWNERSHIP AND REGISTRATION FEES **(Received for the Record.)**

Proposed Draft Bill (No. 2784) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, SECTION 19-1.9, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO SCHEDULE OF FEES AND DEPOSITS ***(Received for the Record.)***

Proposed Draft Bill (No. 2785) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 2, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO CAMPING ON COUNTY PARKS AND PROPERTIES ***(Received for the Record.)***

Proposed Draft Bill (No. 2786) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, SECTION 19-3.2, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO PLAYING FEES ***(Received for the Record.)***

Proposed Draft Bill (No. 2787) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, SECTION 19-4.6, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO FEES ***(Received for the Record.)***

Proposed Draft Bill (No. 2788) – A BILL FOR AN ORDINANCE AMENDING SECTION 21-9.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT ***(Received for the Record.)***

Proposed Draft Bill (No. 2789) – A BILL FOR AN ORDINANCE AMENDING SECTION 21-9.2, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT ***(Received for the Record.)***

Proposed Draft Bill (No. 2790) – 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 ***(Received for the Record.)***

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)*