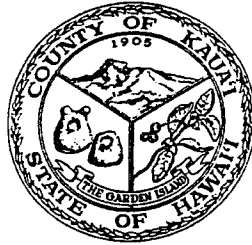


COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Luke A. Evslin



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

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

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

MEMORANDUM

December 15, 2022

TO: Derek S.K. Kawakami, Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **DECEMBER 14, 2022 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its December 14, 2022 Council Meeting:

CONSENT CALENDAR:

C 2023-03 Communication (11/16/2022) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral reappointments to various Boards and Commissions for the County of Kauai:

- a. Board of Ethics
 - Rose Ramos-Benzel – Term ending 12/31/2025
 - Kelly M. Gentry – Term ending 12/31/2025
- b. Board of Water Supply
 - Julie Simonton – Term ending 12/31/2025
- c. Charter Review Commission
 - Bronson Bautista – Term ending 12/31/2025
- d. Civil Service Commission
 - Beverly Gotelli – Term ending 12/31/2025
- e. Liquor Control Commission
 - Dee Crowell – Term ending 12/31/2025
 - Randall Nishimura – Term ending 12/31/2025
 - Leland Kahawai – Term ending 12/31/2025

Council Meeting Follow-up Memorandum to the Mayor

December 15, 2022

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f. Public Access, Open Space, Natural Resources Preservation Fund Commission

- Mark Ono (*Kapa'a-Wailua*) – Term ending 12/31/2025

g. Planning Commission

- Francis DeGracia, Jr. (*Labor*) – Term ending 12/31/2025
- Lori Otsuka (*Business*) – Term ending 12/31/2025
- Jerry Ornellas (*Environmental*) – Term ending 12/31/2025

h. Salary Commission

- Patrick Ono – Term ending 12/31/2025 (*Received for the Record.*)

C 2023-04 Communication (12/02/2022) from Councilmember Evslin, transmitting for Council consideration and confirmation, Council appointee Lee S. Gately (At-Large) to the Kaua'i Historic Preservation Review Commission – Term ending 12/31/2023. (*Received for the Record.*)

C 2023-05 Communication (12/02/2022) from Council Chair Rapozo, transmitting for Council consideration, a Resolution appointing Councilmember Bernard P. Carvalho, Jr. as representative and Councilmember Bill DeCosta as alternate to the Hawai'i State Association of Counties Executive Committee. (*Received for the Record.*)

COMMUNICATIONS:

C 2023-06 Communication (11/03/2022) from the Director of Human Resources, requesting Council approval of the attorney fees and costs provision in the Law Enforcement Testing and Assessment (LETA) Services Agreement, which will be used for civil service written promotional examinations for Ocean Safety Officers, which aligns with the current promotional recruitments for Fire and Police. (*Approved.*)

C 2023-07 Communication (11/04/2022) from the Chief of Police, requesting Council approval to accept and expend additional funds from the Hawai'i High Intensity Drug Trafficking Area (HIDTA) program, in the amount of \$70,000.00, for payment of overtime, replacement of K9 drug detector dogs, training, replacement of old equipment, and the purchase of new technology. The increase would bring the new award amount to \$231,400.00. (*Approved.*)

C 2023-08 Communication (11/16/2022) from Ka'aina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to approve Chapter 8, Kaua'i County Code 1987, as amended, relating to Zoning designation in Lāwa'i Homesteads, Kaua'i (*Kurt Bosshard and Steven Absher, Applicants*). (*Received for the Record.*)

C 2023-09 Communication (11/17/2022) from the Emergency Management Administrator, requesting Council approval to apply for, receive, and expend United States Department of Homeland Security (DHS) grant funds, via the State of Hawai'i Department of Defense – Hawai'i Emergency Management Agency (HI-EMA), in the amount of \$150,000.00 with a 50% cost-match, for the Fiscal Year 2022 Emergency Management Performance Grant, which will support two (2) existing Kaua'i Emergency Management Agency (KEMA) staff positions (Emergency Management Staff Specialist and Emergency Management Program Support Technician II), which support day-to-day prevention, protection, mitigation, response, and recovery activities. ***(Approved.)***

C 2023-10 Communication (11/17/2022) from the Fire Chief, requesting Council approval to purchase non-budgeted equipment of one (1) Fire Engine with Fiscal Year 2023 funds in the amount of \$900,000.00, which will replace a Fire Engine for the Kaiākea Fire Station, and due to supply chain issues and increased demand, Fire Apparatus manufacturers are advising of a two-year turnaround time for delivery from the time of order. ***(Approved.)***

C 2023-11 Communication (12/01/2022) from the Director of Finance, requesting Council approval to accept terms contained within Elavon's Terms of Service Agreement for over-the-counter transactions, to also include online payments associated with the Land Information Management System (LIMS). ***(Approved.)***

CLAIMS:

C 2023-12 Communication (11/14/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Dordick Law Corporation representing Evan Schaben, for personal injury and medical bills, 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 2023-13 Communication (11/21/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Craig Koga, 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 2023-14 Communication (11/22/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Melva Christunas, 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 2023-15 Communication (11/25/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by John Mullen & Company representing DB Insurance Company, as subrogee of Kim Murriera, for damage to personal property, 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 2023-16 Communication (11/29/2022) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Merlene Takemoto, 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 REPORT: APPROVED.

RESOLUTIONS:

Resolution No. 2023-04 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE BOARD OF ETHICS *(Rose Ramos-Benzel)* ***(Approved.)***

Resolution No. 2023-05 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE BOARD OF ETHICS *(Kelly M. Gentry)* ***(Approved.)***

Resolution No. 2023-06 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE BOARD OF WATER SUPPLY *(Julie Simonton)* ***(Approved.)***

Resolution No. 2023-07 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE CHARTER REVIEW COMMISSION *(Bronson Bautista)* ***(Approved.)***

Resolution No. 2023-08 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE CIVIL SERVICE COMMISSION *(Beverly Gotelli)* ***(Approved.)***

Resolution No. 2023-09 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE LIQUOR CONTROL COMMISSION *(Dee Crowell)* ***(Approved.)***

Resolution No. 2023-10 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE LIQUOR CONTROL COMMISSION *(Randall Nishimura)* ***(Approved.)***

Resolution No. 2023-11 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE LIQUOR CONTROL COMMISSION *(Leland Kahawai)* ***(Approved.)***

Resolution No. 2023-12 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND COMMISSION *(Mark Ono – Kapa'a–Wailua)* ***(Approved.)***

Resolution No. 2023-13 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE PLANNING COMMISSION (*Francis DeGracia, Jr. – Labor*) **(Approved.)**

Resolution No. 2023-14 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE PLANNING COMMISSION (*Lori Otsuka – Business*) **(Approved.)**

Resolution No. 2023-15 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE PLANNING COMMISSION (*Jerry Ornellas – Environmental*) **(Approved.)**

Resolution No. 2023-16 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE SALARY COMMISSION (*Patrick Ono*) **(Approved.)**

Resolution No. 2023-17 – RESOLUTION CONFIRMING COUNCIL APPOINTMENT TO THE KAUAI HISTORIC PRESERVATION REVIEW COMMISSION (*Lee S. Gately – At-Large*) **(Approved.)**

Resolution No. 2023-18 – RESOLUTION APPOINTING BERNARD P. CARVALHO, JR. AS REPRESENTATIVE AND BILL DECOSTA AS THE ALTERNATE TO THE EXECUTIVE COMMITTEE OF THE HAWAII STATE ASSOCIATION OF COUNTIES **(Approved.)**

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2893) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATION IN LAWA'I HOMESTEADS, KAUAI (*Kurt Bosshard and Steven Absher, Applicants*) **(Approved on 1st Reading, Public Hearing scheduled for January 11, 2023, and referred to the Planning Committee.)**

BILL FOR SECOND READING:

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 (*Niihau Minimum Tax*) **(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 Email*)
KCT CCs (*Via Email*)
Council Services Staff (*Via Email*)