

**COUNTY COUNCIL**

Mel Rapozo, Chair  
KipuKai Kualii, Vice Chair  
Addison Bulosan  
Bernard P. Carvalho, Jr.  
Felicia Cowden  
Bill DeCosta  
Ross Kagawa



**OFFICE OF THE COUNTY CLERK**


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**Council Services Division**  
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Lihu'e, Kaua'i, Hawai'i 96766

**MEMORANDUM**

April 27, 2023

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Mel Rapozo, Council Chair   
**RE:** **APRIL 26, 2023 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its April 26, 2023 Council Meeting:

**CONSENT CALENDAR:**

C 2023-93 Communication (03/06/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Alice E. Luck to the Cost Control Commission – Term ending 12/31/2024. ***(Received for the Record.)***

C 2023-94 Communication (03/10/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Trevor J. Ford to the Fire Commission – Term ending 12/31/2025. ***(Received for the Record.)***

C 2023-95 Communication (03/13/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Walton D.Y. Hong to the Police Commission – Term ending 12/31/2023. ***(Received for the Record.)***

C 2023-96 Communication (04/03/2023) from the Director of Finance, transmitting for Council information, the Third Quarter Statement of Equipment Purchases for Fiscal Year 2022-2023, pursuant to Section 22 of Ordinance No. B-2022-886, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2022-2023. ***(Received for the Record.)***

C 2023-97 Communication (04/05/2023) from Chris Donahoe, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from January 1, 2023 through March 31, 2023. ***(Received for the Record.)***

C 2023-98 Communication (04/14/2023) from the Hawai'i State Association of Counties (HSAC) President, transmitting for Council consideration, HSAC's Fiscal Year 2024 Proposed Operating Budget, pursuant to Section 21 of the Bylaws of the Hawai'i State Association of Counties, Inc. ***(Received for the Record.)***

C 2023-99 Communication (04/12/2023) from the Housing Director, transmitting for Council consideration, a Resolution Authorizing The Execution And Delivery Of One Or More Multifamily Housing Revenue Notes In An Aggregate Principal Amount Not To Exceed Twenty-Five Million Dollars (\$25,000,000) For The Purpose Of Making A Loan To Provide Financing To Lima Ola Family Partners LP, A Hawai'i Limited Partnership, For The Acquisition, Construction And Development Of Multifamily Rental Housing; Determining And Prescribing Certain Other Matters Relating Thereto And Approving And Authorizing Related Actions And The Execution And Delivery Of Related Documents And Agreements. ***(Received for the Record.)***

COMMUNICATIONS:

C 2023-100 Communication (03/24/2023) from the Chief of Police and Mark T. Ozaki, Acting Assistant Chief of Police, requesting Council approval to transfer Kaua'i Police Department unexpended salaries, in the amount of \$105,000.00, to purchase thirty (30) Mobile Data Terminal (MDT) ruggedized patrol laptops to replace aging units. ***(Referred to the May 3, 2023 Finance & Economic Development Committee.)***

C 2023-101 Communication (03/28/2023) from the Fire Chief, requesting Council approval of the indemnification provisions contained in the Training Agreement between the International Association of Fire Fighters (IAFF) and the County of Kaua'i Fire Department (KFD), which provides the IAFF Peer Support Training Program to the members of the KFD, from July 10-11, 2023. ***(Approved.)***

C 2023-102 Communication (03/31/2023) from the Chief of Police, requesting Council approval of the indemnification provision included in the Lexipol Master Service Agreement, which is the leading nationwide, total training solution for law enforcement agencies. ***(Referred to the May 3, 2023 Finance & Economic Development Committee.)***

C 2023-103 Communication (04/10/2023) from the Executive on Aging, requesting Council approval to receive and expend State funds, in the amount of \$728,536.00, and to indemnify the State Executive Office on Aging, to be used for the provision of Kūpuna Care, which includes case management, adult day care, assisted transportation, homemaker, Kūpuna care transportation, personal care, home-delivered meals, respite care, and caregiver support services, for the period July 1, 2022 through June 30, 2023. ***(Approved.)***

C 2023-104 Communication (04/13/2023) from Council Vice Chair Kualii and Councilmember Bulosan, requesting Council consideration, of a Proposed Draft Bill Amending Chapter 22, Article 15, Kaua'i County Code 1987, As Amended, Relating To General Provisions Relating To Public Health, Safety And Welfare (Obnoxious Substances). ***(Received for the Record.)***

C 2023-105 Communication (04/14/2023) from the Prosecuting Attorney, requesting Council approval to apply for, receive and expend Federal funds for the Domestic Violence Prosecution Unit for Fiscal Year 2022 STOP Violence Against Women Act (VAWA) formula grant, in the amount of \$48,330.00, and to indemnify the State of Hawai'i Department of the Attorney General, to support a Full-Time Equivalent (FTE) Deputy Prosecuting Attorney and supplies, for the anticipated period of June 1, 2023 to January 31, 2024. ***(Approved, for a 0.65 Full-Time Equivalent.)***

C 2023-106 Communication (04/14/2023) from the Prosecuting Attorney, requesting Council approval to apply for, receive and expend Federal funds, in the amount of \$101,000.00, from the Fiscal Year 2021 Edward J. Byrne Memorial Justice Assistance Grant (JAG), to continue employment of one (1) Full-Time Equivalent (FTE) Deputy Prosecuting Attorney who will work with the Kaua'i Police Department Vice Investigators and focus fifty percent (50%) of their time on methamphetamine and opioid focused prosecution. Funding will also be used for fringe benefits, and office supplies, for this position for the anticipated period of July 1, 2023 to June 30, 2024. ***(Approved, for a 0.50 Full-Time Equivalent.)***

C 2023-107 Communication (04/14/2023) from the Prosecuting Attorney, requesting Council approval to apply for, receive and expend Federal Fiscal Year 2024 funds, in the amount of \$124,740.13, from the Impaired Driving Grant, to reimburse up to 1,040 hours of the Traffic Safety Prosecutor's position as well as travel costs, for training and meetings. The grant will cover expenses for the time period October 1, 2023 through September 30, 2024. ***(Approved.)***

LEGAL DOCUMENT:

C 2023-108 Communication (03/22/2023) from the County Engineer, recommending Council approval of a Right-of-Entry Agreement, for preliminary investigation of a potential new landfill site, and indemnification, by and between the State of Hawai'i, Agribusiness Development Corporation (ADC) and the County of Kaua'i, a political subdivision of the State of Hawai'i, situated at Tax Map Key (TMK) No. (4) 1-2-002:001 (por), Kekaha, Kaua'i, Hawai'i.

- Right-of-Entry Agreement ***(Approved.)***

CLAIMS:

C 2023-109 Communication (04/12/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Vanessa Cummings, 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 2023-110 Communication (04/13/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Alastair Bloxsom, 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. 2023-37 – RESOLUTION AMENDING RESOLUTION NO. 2011-77, DRAFT 1, NO. 2017-28, AND NO. 2022-36, DRAFT 1, RELATING TO THE COUNTY OF KAUAI RESERVE FUND AND RESERVE FUND POLICY ***(Received for the Record.)***

Resolution No. 2023-38 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION *(Alice E. Luck)* ***(Approved.)***

Resolution No. 2023-39 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE FIRE COMMISSION *(Trevor J. Ford)* ***(Approved.)***

Resolution No. 2023-40 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE POLICE COMMISSION *(Walton D.Y. Hong)* ***(Approved.)***

Resolution No. 2023-41 – RESOLUTION APPROVING THE PROPOSED FISCAL YEAR 2023-2024 OPERATING BUDGET FOR THE HAWAII STATE ASSOCIATION OF COUNTIES ***(Deferred.)***

Resolution No. 2023-42 – RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE MULTIFAMILY HOUSING REVENUE NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWENTY-FIVE MILLION DOLLARS (\$25,000,000) FOR THE PURPOSE OF MAKING A LOAN TO PROVIDE FINANCING TO LIMA OLA FAMILY PARTNERS LP, A HAWAII LIMITED PARTNERSHIP, FOR THE ACQUISITION, CONSTRUCTION AND DEVELOPMENT OF MULTIFAMILY RENTAL HOUSING; DETERMINING AND PRESCRIBING CERTAIN OTHER MATTERS RELATING THERETO AND APPROVING AND AUTHORIZING RELATED ACTIONS AND THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS AND AGREEMENTS ***(Approved.)***

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2898) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 22, ARTICLE 15, KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO GENERAL PROVISIONS RELATING TO PUBLIC HEALTH, SAFETY AND WELFARE (OBNOXIOUS SUBSTANCES) (***Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for May 31, 2023, and referred to the Public Safety & Human Services Committee.***)

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*)