

**COUNTY COUNCIL**

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KipuKai Kualii, Vice Chair  
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Felicia Cowden  
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**OFFICE OF THE COUNTY CLERK**


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

**MEMORANDUM**

June 1, 2023

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Mel Rapozo, Council Chair   
**RE:** **MAY 31, 2023 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its May 31, 2023 Council Meeting:

**CONSENT CALENDAR:**

C 2023-119 Communication (04/20/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Kevin P. McGinnis to the Board of Ethics – Term ending 12/31/2025. ***(Received for the Record.)***

C 2023-120 Communication (04/27/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Tyler R. Rodighiero to the Cost Control Commission – Term ending 12/31/2024. ***(Received for the Record.)***

C 2023-121 Communication (05/01/2023) from the Director of Human Resources, transmitting for Council information, the May 1, 2023 Human Resources Report (Vacancy Report and Recruitment Status Report), pursuant to Section 24 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 2023-122 Communication (05/02/2023) from the Director of Finance, transmitting for Council information, Period 7 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of January 31, 2023, pursuant to Section 21 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 2023-123 Communication (05/08/2023) from the Director of Finance, transmitting for Council information, Period 8 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of February 28, 2023, pursuant to Section 21 of Ordinance No. B-2022-886, relating to the Operating Budget of the County of Kauaʻi for Fiscal Year 2022-2023. ***(Received for the Record.)***

C 2023-125 Communication (05/16/2023) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of February 9, 2023. ***(Received for the Record.)***

COMMUNICATIONS:

C 2023-124 Communication (05/09/2023) from the Director of Finance, transmitting for Council information, Period 9 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of March 31, 2023, pursuant to Section 21 of Ordinance No. B-2022-886, relating to the Operating Budget of the County of Kauaʻi for Fiscal Year 2022-2023. ***(Received for the Record.)***

C 2023-118 Communication (05/06/2023) from the Mayor, submitting his Supplemental Budget Communication for Fiscal Year 2023-2024 and Proposed Amendments to the Budget Bills, pursuant to Section 19.02A of the Kauaʻi County Charter. ***(Received for the Record.)***

C 2023-126 Communication (05/16/2023) from the Director of Liquor Control, requesting Council approval to accept a donation from the Hawaiʻi State Department of Health, Alcohol and Drug Abuse Division, of two hundred forty (240) NARCAN Nasal Spray Units (NALOXONE), valued at \$30,000.00, to be offered to liquor licensees upon successful completion of the manufacture training and acknowledgement from the licensee of training completion. ***(Approved with thank-you letter to follow.)***

C 2023-127 Communication (05/17/2023) from the County Attorney, requesting authorization to expend additional funds up to \$100,000.00 for Special Counsel's continued services to represent the County of Kauaʻi in general civil litigation matters, specifically, in County of Kauaʻi vs. B&D Properties, LLC et al. identified as case number 5CCCV-22-0000013. ***(Approved.)***

C 2023-128 Communication (05/17/2023) from the County Engineer, requesting Council approval of indemnification language as noted on Invitation For Bid (IFB) 3863 and IFB 3871 for equipment rental for island-wide use for the Department of Public Works. ***(Approved.)***

C 2023-129 Communication (05/18/2023) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds in the amount of \$962,172.00, from the Bureau of Justice Assistance (BJA) Fiscal Year (FY) 2023 Second Chance Act Pay for Success Program. These funds will be awarded to start the E Ho'i I Ka Piko (Returning to the Center) Program and will fund a 1.0 Full-Time Employee (FTE) Social Worker IV position, fringe benefits, a modular unit to house the Life's Choices staff, and the E Ho'i I Ka Piko Program, office equipment and supplies. The proposed project period is October 2, 2023 to April 1, 2028. **(Approved.)**

C 2023-130 Communication (05/18/2023) from the County Engineer, requesting Council approval to apply for, receive, and expend State funds in the amount of \$348,055.56, from the State of Hawai'i Department of Health (DOH), and to indemnify the State DOH for the Fiscal Year 2024 grant cycle, for the HI-5 Deposit Beverage Container program to be used to fund two (2) HI-5 Recycling Specialist positions and support mobile redemption center operations in Kekaha and Kōloa, and approval to apply for, receive, and expend State recycling grant funds in the amount of \$45,000.00, to be used by the Department of Public Works, Solid Waste Division, to support Electronic Waste (eWaste) Recycling for Fiscal Year 2024. **(Approved.)**

C 2023-131 Communication (05/19/2023) from Ka'āina 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 Puhi, Kaua'i. **(Received for the Record.)**

C 2023-132 Communication (05/23/2023) from Council Chair Rapozo, requesting the presence of the Managing Director, Director of Finance, and representatives from N&K CPAs, Inc., to discuss the Annual Comprehensive Financial Report (ACFR), Single Audit Reports, and Management Advisory Report for the Fiscal Year Ended June 30, 2022. **(Received for the Record.)**

CLAIMS:

C 2023-133 Communication (05/04/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Erin M. Sharpe, for bodily injury and loss of income, 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 2023-134 Communication (05/15/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Brandy Dias-Christian, 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 2023-135 Communication (05/15/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Tina M. Soberano, for vehicle damage, 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.)***

**COMMITTEE REPORTS: APPROVED.**

**RESOLUTIONS:**

Resolution No. 2023-33, Draft 1 – RESOLUTION ESTABLISHING THE REAL PROPERTY TAX RATES FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024 FOR THE COUNTY OF KAUA'I ***(Approved.)***

Resolution No. 2023-44, Draft 1 – RESOLUTION URGING THE STATE OF HAWAII BOARD OF LAND AND NATURAL RESOURCES TO CONSIDER PUBLIC ACCESS, USES, AND PURPOSES FOR STATE PARCELS AT WAILUA ***(Approved as Amended.)***

Resolution No. 2023-45 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF ETHICS *(Kevin P. McGinnis)* ***(Approved.)***

Resolution No. 2023-46 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION *(Tyler R. Rodighiero)* ***(Approved.)***

**BILL FOR FIRST READING:**

Proposed Draft Bill (No. 2899) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATION IN PUHI, KAUA'I *(University of Hawai'i Community Colleges, Kaua'i Community College, Applicant)* (ZA-2023-3) ***(Approved as amended on 1<sup>st</sup> Reading, Public Hearing scheduled for June 28, 2023, and referred to the Planning Committee.)***

**BILLS FOR SECOND READING:**

Bill No. 2896, Draft 1 – A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024 *(Fiscal Year 2023-2024 Operating Budget)* ***(Approved.)***

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Bill No. 2897, Draft 1 – A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2023 TO JUNE 30, 2024 (*Fiscal Year 2023-2024 CIP Budget*) **(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*)