

**COUNTY COUNCIL**

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


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

**MEMORANDUM**

June 14, 2023

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Mel Rapozo, Council Chair   
**RE:** **JUNE 14, 2023 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its June 14, 2023 Council Meeting:

**CONSENT CALENDAR:**

C 2023-136 Communication (05/23/2023) from the Director of Finance, transmitting for Council information, Period 10 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of April 30, 2023, pursuant to Section 21 of Ordinance No. B-2022-886, relating to the Operating Budget of the County of Kauai for Fiscal Year 2022-2023. ***(Received for the Record.)***

**COMMUNICATIONS:**

C 2023-137 Communication (05/15/2023) from the Chief of Police and Acting Assistant Chief Paul N. Applegate, requesting approval to accept and expend recurring Federal funds, in the amount of \$61,572.00, from the Fiscal Year 2021 Edward J. Byrne Memorial Justice Assistance Grant (JAG), to be used for the purpose of drug-related investigations. ***(Approved.)***

C 2023-138 Communication (05/25/2023) from the Housing Director, requesting Council approval of the Gap Indemnity Agreement between the County of Kauai and Old Republic Title and Escrow of Hawaii, relating to title insurance provided for Lima Ola Multi-Family Development and Lima Ola Senior Housing Development properties situated at Tax Map Key (TMK) Nos. (4) 2-1-001-054 (Lot #45) and (4) 2-1-001-054 (Lot #2). ***(Approved.)***

Council Meeting Follow-up Memorandum to the Mayor

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C 2023-139 Communication (05/25/2023) from the Housing Director, requesting Council approval to receive and expend Fiscal Year (FY) 2023 Congressional Directed Spending funds, in the amount of \$7,772,000.00, to be used for the construction of infrastructure in Lima Ola Phase II, which entails the installation of roads, water lines, sewer service, storm water drainage, and communication infrastructure for the development of 172 affordable homes with Phase II of the County's 75-acre Lima Ola Subdivision. **(Approved.)**

C 2023-140 Communication (05/25/2023) from the Housing Director, requesting Council approval to receive and expend Fiscal Year (FY) 2023 Congressional Directed Spending funds, in the amount of \$5,000,000.00, to be used to serve domestic water and fireflow needs of the residents and businesses located in the neighboring towns of Hanapēpē, 'Ele'ele, and Port Allen. **(Approved.)**

C 2023-141 Communication (05/30/2023) from the Executive on Transportation, requesting Council approval to apply for, receive, and expend Federal Transit Administration (FTA) Section 5311 formula grant appropriation funds in the amount of \$1,088,066.00, to be used to fund the fifty percent (50%) portion of allowable expenses such as bus driver wages, hourly pay, and fringe benefit line items. **(Approved.)**

C 2023-142 Communication (05/30/2023) from the Director of Finance, requesting Council approval of the indemnification provision and the unspecified future obligations contained in the Legal Terms and Conditions from System Innovators E-Commerce Online Payment Portal to accept online payment applications. **(Approved.)**

C 2023-143 Communication (05/31/2023) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds in the amount of \$189,271.00, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the Kaua'i Victims of Crime Act (VOCA) Expansion Project 20-V2-03 (Victim/Witness program) for the period October 1, 2023 through June 30, 2024. **(Approved.)**

C 2023-144 Communication (06/01/2023) from the Director of Finance, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Kaua'i County Code 1987, As Amended, And Repealing Ordinance No. 1130 And Section 6 Of Ordinance No. 1132 Relating To Real Property Tax, which will eliminate the Residential Investor tax classification, establish authority for creating valuation thresholds and tax rate tiering, and rename three (3) existing tax classifications for better understanding and clarity by taxpayers. **(Received for the Record.)**

C 2023-145 Communication (06/02/2023) from the Prosecuting Attorney, requesting Council approval to receive and expend funds, in the amount of \$55,000.00, for contract DHS-20-OYS-037, Supplement 2, and to indemnify the State of Hawai'i, Office of Youth Services, to continue the Kaua'i Teen Court program, which is subcontracted to Hale 'Ōpio Kaua'i, for a tentative time period of July 1, 2023 to June 30, 2025. **(Approved.)**

CLAIMS:

C 2023-146 Communication (05/16/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Mark Marchant, 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 2023-147 Communication (05/24/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Ona Lowry, 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.

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2900) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, AND REPEALING ORDINANCE NO. 1130 AND SECTION 6 OF ORDINANCE NO. 1132, RELATING TO REAL PROPERTY TAX ***(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for July 12, 2023, and referred to the Finance & Economic Development Committee.)***

BILL FOR SECOND READING:

Bill No. 2898 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 22, ARTICLE 15, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO GENERAL PROVISIONS RELATING TO PUBLIC HEALTH, SAFETY AND WELFARE (OBNOXIOUS SUBSTANCES) ***(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)*