

**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**

March 28, 2024

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Mel Rapozo, Council Chair  
**RE:** **MARCH 27, 2024 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its March 27, 2024 Council Meeting:

**CONSENT CALENDAR:**

C 2024-62 Communication (02/29/2024) from the Director of Finance, transmitting for Council information, the County of Kaua'i 2024 Real Property Assessment List pursuant to Section 5A-2.2, Kaua'i County Code 1987, as amended. ***(Received for the Record.)***

C 2024-63 Communication (03/14/2024) 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 Tax Limitation and Very Low Income Tax Credit relief measures which have been factored in with the existing real property tax rates, and based on the certified Real Property Assessment List for Fiscal Year 2025. ***(Received for the Record.)***

C 2024-64 Communication (03/15/2024) from the Housing Director, transmitting for Council consideration, a Resolution Authorizing The Mayor And The Director Of Finance Of The County Of Kaua'i To Enter Into An Intergovernmental Agreement With The State Of Hawai'i And Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Residential Cesspool Conversion Program (County Of Kaua'i Residential Cesspool Conversion Program 1), Project No. RCC00KA-01. ***(Received for the Record.)***

C 2024-65 Communication (03/19/2024) from the Director of Human Resources, transmitting for Council information, the March 15, 2024 Human Resources Report (Vacancy Report and Recruitment Status Report), pursuant to Section 24 of Ordinance No. B-2023-891, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2023-2024. ***(Received for the Record.)***

C 2024-66 Communication (03/20/2024) from Council Chair Rapozo, transmitting for Council consideration, a Resolution Repealing Resolution No. 2023-02 And Amending Resolution No. 2023-26 Relating To Adopting The Rules Of The Kaua'i County Council For The Organization Of Committees And The Transaction Of Business, amending Rule No. 13, Relating to Order and Decorum. *(Received for the Record.)*

COMMUNICATIONS:

C 2024-67 Communication (02/26/2024) from the Chief of Police, Acting Assistant Chief Paul N. Applegate, Acting Captain Kennison L. Nagahisa, and Lieutenant Christian D. Jenkins, requesting Council approval to accept the terms contained in the Avis Rent a Car System, LLC, Terms & Conditions regarding Section 3.2 Indemnification. The Kaua'i Police Department, Investigative Services Bureau seeks to engage in a lease rental of two (2) vehicles, intended for short-term rental leases spanning one (1) year, providing the flexibility to switch vehicles as necessary, enhancing operational efficiency without the constraints of a traditional lease. *(Approved.)*

C 2024-68 Communication (02/27/2024) from Councilmember Kagawa, transmitting for Council consideration, A Bill For An Ordinance Amending Sections 5A-1.1 And 5A-11.4, Kaua'i County Code 1987, As Amended, Relating To Real Property Tax. *(Received for the Record.)*

C 2024-69 Communication (03/05/2024) from Council Chair Rapozo and Councilmember DeCosta, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 8, Kaua'i County Code 1987, As Amended, Relating To The Comprehensive Zoning Ordinance, Including Matters Pertaining To Guest Houses. *(Received for the Record.)*

C 2024-70 Communication (03/07/2024) from the Chief of Police and Assistant Chief of Police Mark T. Ozaki, requesting Council approval to accept and expend Federal funds, in the amount of \$7,139.00, from the United States Department of Justice, Bureau of Justice Assistance, Bulletproof Vest Partnership Grant, to replace bulletproof vests for officer safety. The grant program has a local match amount of 50% from the Kaua'i Police Department (Account No. 001-1003-551.65-00, Collective Bargaining) for the acquisition of the bulletproof (protective) vests and related accessories to be utilized by the officers of the Kaua'i Police Department. *(Approved.)*

C 2024-71 Communication (03/07/2024) from the County Engineer, requesting Council approval to purchase unbudgeted equipment of a Flygt Submersible Pump, as an unanticipated mechanical failure of an existing pump at the Wailua Wastewater Treatment Plant has resulted in a loss of redundancy, needed to ensure that the proper flows can continue going through the plant treatment process, at a cost of approximately \$31,000.00. *(Approved.)*

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C 2024-72 Communication (03/08/2024) from the County Engineer, requesting Council approval to purchase unbudgeted equipment of an Aurora Series Effluent Pump, at an estimated cost of \$52,000.00. This pump would convey effluent to the Wailua Golf Course for irrigation purposes, due to an unanticipated mechanical failure of an existing effluent pump at the Wailua Wastewater Treatment Plant. ***(Approved.)***

C 2024-73 Communication (03/08/2024) from the Executive on Transportation, requesting Council approval to apply for, receive, expend, and indemnify the Federal Transit Administration (FTA) for Section 5339 formula grant in the amount of \$2,662,040.00 for ten (10) diesel/gas buses, and FTA Section 5311 formula grant in the amount of \$1,334,862.00 for five (5) diesel/gas buses, which are soon to be beyond their useful lives, to be used to fund eighty percent (80%) of the purchase cost, and twenty percent (20%) from the Transportation Agency's Fiscal Year 2025 budget request. ***(Approved.)***

C 2024-74 Communication (03/11/2024) from Council Chair Rapozo and Councilmember DeCosta, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5, Article 2, Section 5-2.6 Kaua'i County Code 1987, As Amended, Relating To Beautification Fees, to offset the tourism-related impacts of rental or U-drive motor vehicles by standardizing the beautification fee assessed to all motor vehicles in the County at five dollars (\$5) per certificate of registration. ***(Received for the Record.)***

C 2024-75 Communication (03/15/2024) from the Mayor, transmitting his Fiscal Year 2024-2025 Budget Message, along with the proposed Operating Budget, Capital Improvement Projects (CIP) Budget, and Schedule of Charges and Fees. ***(Received for the Record.)***

CLAIMS:

C 2024-76 Communication (03/11/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Suzanne Kay Smith, for personal injuries, vehicle damage and medical expenses, 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 2024-77 Communication (03/11/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Jaquelynn Sua, for her mother's loss of life 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 REPORT: APPROVED.

**RESOLUTIONS:**

Resolution No. 2024-13 – RESOLUTION ESTABLISHING THE REAL PROPERTY TAX RATES FOR THE FISCAL YEAR JULY 1, 2024 TO JUNE 30, 2025 FOR THE COUNTY OF KAUAI (*Public Hearing scheduled for May 14, 2024 at 5:00 p.m., and referred to the Committee of the Whole.*)

Resolution No. 2024-14 – RESOLUTION AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII AND DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE RESIDENTIAL CESSPOOL CONVERSION PROGRAM (COUNTY OF KAUAI RESIDENTIAL CESSPOOL CONVERSION PROGRAM 1), PROJECT NO. RCC00KA-01 (*Approved.*)

Resolution No. 2024-15 – RESOLUTION REPEALING RESOLUTION NO. 2023-02 AND AMENDING RESOLUTION NO. 2023-26 RELATING TO ADOPTING THE RULES OF THE KAUAI COUNTY COUNCIL FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS (*Approved as Amended.*)

**BILLS FOR FIRST READING:**

Proposed Draft Bill (No. 2916) – A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2024 TO JUNE 30, 2025 (*Fiscal Year 2024-2025 Operating Budget*) (*Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for May 14, 2024 at 5:00 p.m., and referred to the Committee of the Whole.*)

Proposed Draft Bill (No. 2917) – A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2024 TO JUNE 30, 2025 (*Fiscal Year 2024-2025 CIP Budget*) (*Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for May 14, 2024 at 5:00 p.m., and referred to the Committee of the Whole.*)

Proposed Draft Bill (No. 2918) – A BILL FOR AN ORDINANCE AMENDING SECTIONS 5A-1.1 AND 5A-11.4, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for April 24, 2024, and referred to the Committee of the Whole.*)

Proposed Draft Bill (No. 2919) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COMPREHENSIVE ZONING ORDINANCE, INCLUDING MATTERS PERTAINING TO GUEST HOUSES (*Referred to the Planning Commission.*)

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Proposed Draft Bill (No. 2920) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 2, SECTION 5-2.6 KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO BEAUTIFICATION FEES (*Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for April 24, 2024, and referred to the Committee of the Whole.*)

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*)