

COUNTY COUNCIL

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MEMORANDUM

June 13, 2024

TO: Derek S.K. Kawakami, Mayor
FROM: Mel Rapozo, Council Chair
RE: **JUNE 12, 2024 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its June 12, 2024 Council Meeting:

CONSENT CALENDAR:

C 2024-112 Communication (05/21/2024) from Jodi A. Higuchi Sayegusa, Clerk of the Public Access, Open Space, and Natural Resources Preservation Fund Commission, transmitting for Council information, the Public Access, Open Space, Natural Resources Preservation Fund Commission 2022-2023 Biennial Report, pursuant to Chapter 6, Article 14, of the Kauai County Code. *(Received for the Record.)*

C 2024-113 Communication (05/28/2024) from the County Engineer, transmitting for Council consideration a Resolution Amending Resolution No. 2022-44, Authorizing The Mayor Or The Director Of Finance Of The County Of Kauai To Enter Into An Intergovernmental Agreement With The State Of Hawaii, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The 'Ele'ele Subdivision Collection System Rehabilitation, Project No. C150050-12. *(Received for the Record.)*

COMMUNICATIONS:

C 2024-114 Communication (05/17/2024) from the Mayor, transmitting the Public Access, Open Space, Natural Resources Preservation Fund Commission's recommendation to request up to \$1,444,000.00 from the Public Access, Open Space, Natural Resources Preservation Fund for acquisition of two (2) Hanapēpē parcels at Tax Map Key (TMK) Nos. (4) 1-8-008:065 and (4) 1-8-008:071. *(Received for the Record.)*

C 2024-115 Communication (05/24/2024) from the County Engineer, requesting Council approval to accept a donation from the Department of Hawaiian Home Lands, in the total approximate value of \$260,000.00 of two (2) trailer-mounted pumps, to provide backup pumping capacity or to provide redundancy at the County's Sewer Pump Stations servicing the Hanapēpē and 'Ele'ele area. ***(Approved.)***

C 2024-116 Communication (05/28/2024) from the County Engineer, requesting Council approval of the indemnification provisions contained in the Autodesk Terms of Use, which provides software products and services for the architecture, engineering, and construction industries. ***(Approved.)***

C 2024-117 Communication (05/30/2024) from the County Attorney, requesting authorization to expend additional funds up to \$200,000.00 for Special Counsel's continued services to represent the County of Kaua'i in employment related matters. The representation will include cases in federal court, the state courts, administrative contested cases, agency hearings, and arbitrations. ***(Approved.)***

C 2024-118 Communication (05/30/2024) from the Executive on Aging, requesting Council approval to receive and expend Federal funds, for the third allotment in the amount of \$8,123.00, Fiscal Year 2024, and to indemnify the State Executive Office on Aging, for the Nutrition Services Incentive Program (NSIP) provision of congregate and home-delivered meals. ***(Approved.)***

C 2024-119 Communication (05/31/2024) from the County Attorney, requesting authorization to expend funds up to \$150,000.00 to retain Special Counsel to represent the County of Kaua'i in enforcement of the Comprehensive Zoning Ordinance as it relates to transient accommodations. ***(Deferred.)***

C 2024-120 Communication (06/04/2024) from the County Engineer, requesting Council approval of the indemnification provisions contained in the Bluebeam's General Terms and Conditions of Use, which provides highly customizable document management, markup, and automation tools with a built-in collaboration space, and helps engineers get actionable data insights and standardize communication across the project lifecycle. ***(Approved.)***

LEGAL DOCUMENTS:

C 2024-121 Communication (05/16/2024) from the Deputy County Engineer, recommending Council approval of a Dedication Deed, from BBCP Kukui'ula Infrastructure, LLC to the County of Kaua'i, for land dedicated for public beach parking in the Boyden's Pond area, pursuant to Ordinance No. PM-2004-370, located at Tax Map Key (TMK) No. (4) 2-6-019-028.

- Dedication Deed
(Approved.)

C 2024-122 Communication (05/29/2024) from the Housing Director, recommending Council approval of a Grant of Easement made by and between the County of Kaua'i and the Board of Water Supply of Tax Map Key (TMK) No. (4) 2-1-013:001, 'Ele'ele, Kaua'i, Hawai'i, for the Lima Ola Permanently Supportive Housing Project in Phase I of the Lima Ola Subdivision, along with the related indemnification provision contained therein, to read water meters and to construct, install, re-install, maintain, repair, and remove potable water pipelines and related meters, valves, and other associated waterworks facility improvements and appurtenances within the easement area.

- Grant of Easement
(Approved.)

CLAIM:

C 2024-123 Communication (05/20/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Sixt Rent A Car, LLC, 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.**

RESOLUTION:

Resolution No. 2024-19 – RESOLUTION AMENDING RESOLUTION NO. 2022-44, AUTHORIZING THE MAYOR OR THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUA'I TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAI'I, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE 'ELE'ELE SUBDIVISION COLLECTION SYSTEM REHABILITATION, PROJECT NO. C150050-12 *(Approved.)*

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2923) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-896 AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND *(Approved on 1st Reading, Public Hearing scheduled for July 10, 2024, and referred to the Committee of the Whole.)*

Council Meeting Follow-up Memorandum to the Mayor

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Proposed Draft Bill (No. 2924) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-897 AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND—CIP (*Approved on 1st Reading, Public Hearing scheduled for July 10, 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*)