

COUNTY COUNCIL

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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, Hawaii 96766

MEMORANDUM

June 27, 2024

TO: Derek S.K. Kawakami, Mayor
FROM: Mel Rapozo, Council Chair 
RE: **JUNE 26, 2024 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its June 26, 2024 Council Meeting:

COMMUNICATIONS:

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. **(Approved.)**

C 2024-124 Communication (06/04/2024) from the Executive on Aging, requesting Council approval to receive and expend Federal funds, in the amount of \$291,839.00, and to indemnify the State Executive Office on Aging, for the provision of Title III services of the Older Americans Act, which includes supportive services, congregate meals, home-delivered meals, preventive health programs, and the National Family Caregiver Support Program, for the Federal Fiscal Year 2024. This award is through September 30, 2026. **(Approved.)**

C 2024-125 Communication (06/05/2024) from the Mayor, requesting Council approval to accept all food, travel, and lodging expenses provided by the Hunt Institute's Early Learning Nation Policy Fellows for Local Elected Leaders to attend the Early Childhood Leadership Summit and Fellows Retreat on September 4-6, 2024 in Las Vegas, Nevada, an invitation-only learning and networking opportunity, designed to support bipartisan local elected leaders with the drive and potential to establish their communities as national leaders for children. **(Approved.)**

C 2024-126 Communication (06/06/2024) from the Fire Chief, requesting Council approval of the indemnification provisions for purchase of APX Next Portable Radios and related subscription services from Motorola Solutions, Inc. **(Approved.)**

C 2024-127 Communication (06/06/2024) from the Fire Chief, requesting Council approval to accept a donation from the Okinawa Lifesaving Association in the estimated amount of \$12,500.00, to be used for all travel expenses, airfare, lodging, and transportation for Ocean Safety Bureau Chief Kalani Vierra to participate in the Okinawa Lifesaving Association Rescue Watercraft Training on June 15-26, 2024 and the Ocean Safety Symposium on July 22-29, 2024, in Okinawa, Japan. **(Approved.)**

C 2024-128 Communication (06/12/2024) from the Chief of Police and Mark T. Ozaki, Assistant Chief of Police, requesting Council approval to receive and expend State funds, in the amount of up to \$12,000.00, from the State of Hawai'i, Department of Health, Alcohol and Drug Abuse Division, as reimbursement associated overtime for the enforcement of Hawai'i Revised Statutes (HRS) Section 712-1258, prohibiting tobacco sales to minors via Memorandum of Agreement 2025-PB-002 effective September 1, 2024 through August 31, 2025. **(Approved.)**

C 2024-129 Communication (06/13/2024) from the County Engineer, requesting Council approval of the indemnification provisions contained in Paragraph 13 of Hawai'i Gas's Terms of Use, which provides the fuel supply for the Waimea Levee Pump Station's emergency generators that serve as the backup power source in the event of an electric power outage. **(Approved.)**

C 2024-130 Communication (06/16/2024) from the Director of Economic Development, requesting Council approval of the indemnification clause and cost of litigation provisions included in the State of Hawai'i Department of Agriculture General Terms and conditions Sections 7 and 8, administering support for the mitigation of the spread of the Coconut Rhinoceros Beetle (CRB). Approval to receive and expend funding in the amount of \$200,000.00 was granted at the May 29, 2024 Council Meeting. **(Approved.)**

C 2024-131 Communication (06/17/2024) from the County Engineer, requesting Council approval to apply for, receive, and expend State funds in the amount of \$379,538.40, from the State of Hawai'i Department of Health (DOH), and to indemnify the State DOH for the Fiscal Year 2025 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. **(Approved.)**

C 2024-132 Communication (06/17/2024) from the Deputy Director of Planning, requesting Council approval to receive and expend Federal/State funds for the Hawai'i Coastal Zone Management (CZM) Program in an amount up to \$375,345.00, and to indemnify the State of Hawai'i in accordance with the State of Hawai'i General Conditions (AG-008 103D) for administering the program. This reoccurring pass-through grant will be utilized to continue the implementation of the CZM Program on Kaua'i commencing July 1, 2024 to June 30, 2025 and will be expended on salaries/wages, travel, equipment, and supplies for the CZM Program, specifically for the implementation and enforcement of the Special Management Area Rules and Regulations of the County of Kaua'i and Shoreline Setback provisions of Chapter 8, Kaua'i County Code 1987, as amended. **(Approved.)**

CLAIMS:

C 2024-133 Communication (06/04/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by MNS, LTD., dba Sueoka Store, for property 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 2024-134 Communication (06/07/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Ira McRoberts, for vehicle damages, 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 2024-135 Communication (06/17/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Todd G. Raybuck, for reimbursement of attorney fees, 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.

BILLS FOR SECOND READING:

Bill No. 2914, Draft 2 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 7A, ARTICLE 9, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO GOVERNMENT ASSISTANCE FOR WORKFORCE HOUSING ***(Amended to Bill No. 2914, Draft 3; Council Absence, Tie Vote (Council Absence or Recusal); Pursuant to Council Rule No. 5(e), the item shall be made the Special Order of the Day at the July 10, 2024 Council Meeting.)***

Bill No. 2912 – A BILL FOR AN ORDINANCE ADDING A NEW ARTICLE TO CHAPTER 6, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO GENERAL PROVISIONS RELATING TO FINANCE ***(Received for the Record.)***

Bill No. 2921 – AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. B-2023-891, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2023 THROUGH JUNE 30, 2024, FOR THE PURPOSES OF FUNDING EMERGENCY EXPENDITURES CAUSED BY HEAVY RAINS AND SEVERE FLOODING WHICH STARTED ON APRIL 11, 2024, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND ***(Received for the Record.)***

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.

Council Meeting Follow-up Memorandum to the Mayor

June 27, 2024

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cc: KCT Department Heads (*Via Email*)
KCT CCs (*Via Email*)
Council Services Staff (*Via Email*)