

**COUNTY COUNCIL**

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

**MEMORANDUM**

August 28, 2024

**TO:** Derek S.K. Kawakami, Mayor  
**FROM:** Mel Rapozo, Council Chair  
**RE:** **AUGUST 28, 2024 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its August 28, 2024 Council Meeting:

**COMMUNICATIONS:**

C 2024-163 Communication (08/05/2024) from Elliott K. Ke, Assistant Chief of Police, Police Operations Bureau, transmitting for Council consideration, A Bill For An Ordinance Relating To Creation Of The State Highway Enforcement Program Surcharge Fund, allowing the Kaua'i Police Department (KPD) to use the funds for the enforcement of laws and ordinances specifically pertaining to illegal parking on state highways. ***(Received for the Record.)***

C 2024-164 Communication (08/08/2024) from Lawrence Borgatti, Arborist Advisory Committee Chair, transmitting for Council consideration, A Bill For An Ordinance To Amend Chapter 22, Kaua'i County Code 1987, As Amended, By Amending Section 22-5.4 To Add To The List Of Exceptional Trees, adding a single monkey pod tree (Samanea Saman), located in the center of the Sun Village complex, situated on Tax Map Key (TMK) No. (4) 3-7-001:017 owned by the Weinberg Foundation. ***(Received for the Record.)***

C 2024-165 Communication (08/12/2024) from the Director of Finance, requesting Council approval to dispose of various records, pursuant to Hawai'i Revised Statutes (HRS) Section 46-43 and Resolution No. 2021-48 (2021), which have been kept for over seven (7) years and are no longer of use or value. ***(Approved as amended to exclude the Real Property Assessment Division's Agricultural (Ag) Dedication Files (expired) dated 1971-2016.)***

C 2024-166 Communication (08/15/2024) from the Deputy Planning Director, requesting Council approval to apply for, receive, and expend Transit Oriented Development (TOD) Capital Improvement Project (CIP) funds, in the amount of up to \$270,000.00, and to indemnify the State Office of Planning and Sustainable Development, to be used for a Līhu‘e Town Core Housing Feasibility Study, including master planning and other planning studies, preparation of environmental review documents, and infrastructure assessment work for projects and infrastructure identified through State-County consultation, coordination, and collaboration that are aligned with shared TOD goals and objectives. ***(Approved as amended with the amount of up to \$300,000.00.)***

LEGAL DOCUMENTS:

C 2024-167 Communication (08/13/2024) from the Housing Director, recommending Council approval of a Grant of Easement made by and between the County of Kaua‘i and Kaua‘i Island Utility Cooperative of Tax Map Key (TMKs) Nos. (4) 2-1-013:045 and (4) 2-1-013:002, ‘Ele‘ele, Kaua‘i, Hawai‘i, for the Lima Ola Family and Senior Housing Projects in Phase I of the Lima Ola Subdivision, along with the related indemnification provision contained therein, to locate, install, build, construct, use, operate, repair, maintain, and replace poles, wire lines, conduits, appliances, equipment, and facilities within the easement area.

- Grant of Easement
- Grant of Easement ***(Approved.)***

C 2024-168 Communication (08/15/2024) from the Director of Finance, recommending Council approval of a Quitclaim Deed involving Tax Map Keys (TMKs) Nos. (4) 3-3-04:20 (por.) and (4) 3-3-03:Road (por.), a Grant of Non-Exclusive Easement involving TMK No. (4) 3-3-04:20 (por.), and a Grant of Non-Exclusive Easement involving TMK No. (4) 3-3-03:43 (por.), granting the State Department of Transportation’s (DOT) Kaumuali‘i Highway Widening Project from Līhu‘e to West of Maluhia Road, identified as Federal Aid Project No. STP-050-1 (26), helping improve traffic flow and safety for the island’s westside commuters.

- Quitclaim Deed
- Grant of Non-Exclusive Easement
- Grant of Non-Exclusive Easement ***(Approved.)***

C 2024-169 Communication (08/15/2024) from the Planning Director, requesting Council acceptance and approval of a Dedication Deed, from the Association of Apartment Owners (AOAO) of Kūlana, dedicating Roadway Lot 22-A, Tax Map Key (TMK) No. (4) 4-3-003-027 (por.), of the Hauiki Road Subdivision for roadway purposes.

- Dedication Deed ***(Deferred pending a briefing on Kūlana from the Administration in the Planning Committee.)***

C 2024-170 Communication (08/15/2024) from the Planning Director, requesting Council acceptance and approval of Dedication Deeds, from the Association of Apartment Owners (AOAO) of Kūlana, to convey three (3) roadway lots, located at Tax Map Keys (TMKs) Nos. (4) 4-3-011-001 (por.) (Lot 21), (4) 4-3-011-001 (por.) (Lot 22), and (4) 4-3-011-001 (por.) (Lot 23), of the Hauiki Road Subdivision for roadway purposes.

- Dedication Deed (Lot 21)
- Dedication Deed (Lot 22)
- Dedication Deed (Lot 23) ***(Deferred pending a briefing on Kūlana from the Administration in the Planning Committee.)***

CLAIMS:

C 2024-171 Communication (08/06/2024) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Matthew J. Lowry, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kauaʻi. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

C 2024-172 Communication (08/08/2024) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Alamo, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kauaʻi. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

C 2024-173 Communication (08/12/2024) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Sheralyn Hernandez, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kauaʻi. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

COMMITTEE REPORT: **APPROVED.**

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2931) – A BILL FOR AN ORDINANCE TO ESTABLISH THE STATE HIGHWAY ENFORCEMENT PROGRAM SURCHARGE FUND FOR THE COUNTY OF KAUAʻI ***(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for September 25, 2024, and referred to the Committee of the Whole.)***

Proposed Draft Bill (No. 2932) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 22 OF THE KAUAʻI COUNTY CODE 1987 BY AMENDING SECTION 22-5.4 TO ADD TO THE LIST OF EXCEPTIONAL TREES *(In the center of the Sun Village Complex TMK: 3-7-001:017)* ***(Approved on 1<sup>st</sup> Reading, Public Hearing scheduled for September 25, 2024, and referred to the Planning Committee.)***

Council Meeting Follow-up Memorandum to the Mayor

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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*)