

COMMITTEE MEETING NOTICE AND AGENDA

WEDNESDAY, AUGUST 21, 2013

9:00 A.M. OR SOON THEREAFTER

COUNCIL CHAMBERS

HISTORIC COUNTY BUILDING

4396 RICE STREET, SUITE 201

LĪHUʻE, KAUAʻI, HAWAII 96766

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OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAʻI

A. PUBLIC COMMENT

Pursuant to Council Rule 13(e), members of the public shall be allowed a total of eighteen (18) minutes on a first come, first served basis to speak on any agenda item. Each speaker shall be limited to three (3) minutes at the discretion of the Chair to discuss the agenda item and shall not be allowed additional time to speak during the meeting. This rule is designed to accommodate those who cannot be present throughout the meeting to speak when the agenda items are heard. After the conclusion of the eighteen (18) minutes, other members of the public shall be allowed to speak pursuant to Council Rule 12(e).

B. PLANNING COMMITTEE

1. Minutes of the July 24, 2013 Planning Committee Meeting.
2. Minutes of the August 7, 2013 Planning Committee Meeting.
3. PL 2013-03 Communication (08/13/2013) from Councilmember Rapozo, requesting the presence of Ian K. Jung, Deputy County Attorney, to discuss the Grant of Pedestrian and Parking Easements that was a condition of the Kahuaina Plantation Subdivision and Kahuaina Plantation Subdivision Phase II, and its impact on the location and the State's establishment of the Ala Loa Hawaiian Trail System.

**C. ENVIRONMENTAL SERVICES / PUBLIC SAFETY /
COMMUNITY ASSISTANCE COMMITTEE**

1. Minutes of the July 24, 2013 Environmental Services / Public Safety / Community Assistance Committee Meeting.
2. Minutes of the August 7, 2013 Environmental Services / Public Safety / Community Assistance Committee Meeting.

3. Bill No. 2493 A BILL FOR AN ORDINANCE AMENDING SECTION 22-5.4 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DESIGNATION OF EXCEPTIONAL TREES
(Public Hearing held on 08/14/2013)

D. PUBLIC WORKS / PARKS & RECREATION COMMITTEE

1. Minutes of the July 24, 2013 Public Works / Parks & Recreation Committee Meeting.

E. ECONOMIC DEVELOPMENT (SUSTAINABILITY / AGRICULTURE / FOOD / ENERGY) & INTERGOVERNMENTAL RELATIONS COMMITTEE

1. EDR 2013-02 Communication (07/24/2013) from Councilmember Yukimura, requesting agenda time to discuss and approve a proposed amendment to Chapter 196, Hawai'i Revised Statutes (HRS), (Solar Water Heating Law for New Single-Family and Duplex Construction) that would require an application for a variance based on consumer choice and energy efficiency, for inclusion in the 2014 County of Kaua'i and Hawai'i State Association of Counties (HSAC) Legislative Packages.
2. EDR 2013-03 Communication (07/24/2013) from Councilmember Yukimura, requesting agenda time to discuss and approve a proposed amendment to Senate Bill (S.B.) 16, Senate Draft (S.D.) 2 amending Chapter 196, Hawai'i Revised Statutes (HRS), (Solar Water Heating Law for New Single-Family and Duplex Construction) by requiring variance applications and requirements to be handled by the Counties, for inclusion in the 2014 County of Kaua'i and Hawai'i State Association of Counties (HSAC) Legislative Packages.
3. EDR 2013-04 Communication (07/29/2013) from Councilmember Rapozo, transmitting for Council consideration, a proposed Bill for an Act to Repeal Section 143-16 of the Hawai'i Revised Statutes (HRS) Relating to the Contract between the County of Kaua'i and Kaua'i Humane Society, for inclusion in the 2014 County of Kaua'i Legislative Package.
4. EDR 2013-05 Communication (08/02/2013) from Councilmember Rapozo, transmitting for Council consideration, House Bill (H.B.) 215 Relating to Liability, for inclusion in the 2014 County of Kaua'i and Hawai'i State Association of Counties (HSAC) Legislative Packages.

**F. FINANCE & ECONOMIC DEVELOPMENT (TOURISM / VISITOR
INDUSTRY / SMALL BUSINESS DEVELOPMENT / SPORTS &
RECREATION DEVELOPMENT / OTHER ECONOMIC
DEVELOPMENT AREAS) COMMITTEE**

1. Minutes of the July 24, 2013 Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee Meeting.
2. Bill No. 2489 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO LOW AND MODERATE-INCOME HOUSING AND LONG TERM AFFORDABLE RENTALS (*Public Hearing held on 08/14/2013*)
3. Bill No. 2490 A BILL FOR AN ORDINANCE AMENDING SECTIONS 22-10.2, 22-10.4, 22-10.5, AND 22-10.6 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DOG LICENSES AND REGULATIONS (*Public Hearing held on 08/14/2013*)
4. Bill No. 2495, Draft 1 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES (*Deferred 08/07/2013*)

G. COMMITTEE OF THE WHOLE

1. Minutes of the July 24, 2013 Committee of the Whole Meeting.
2. Minutes of the August 5, 2013 Special Committee of the Whole Meeting.
3. Bill No. 2492 A BILL FOR AN ORDINANCE TO AMEND SECTION 2, ORDINANCE NO. 891 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUAI FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS AND REFUNDING CERTAIN BONDS OF THE COUNTY; FIXING OR AUTHORIZING THE FIXING OF THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE PUBLIC (*Public Hearing held on 08/14/2013*)
4. Bill No. 2494 A BILL FOR AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE CODE OF ETHICS (*Public Hearing held on 08/14/2013*)

H. EXECUTIVE SESSION: *Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Council may, when deemed necessary, hold an Executive Session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such Executive Session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). (Confidential reports on file in the County Attorney's Office and/or the County Clerk's Office. Discussions held in Executive Session are closed to the public.)*

1. ES-662 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), on behalf of the Council, the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing and to discuss legal issues concerning the application and enforcement of Chapter 8, Article 17, of the Kaua'i County Code 1987, as amended, specifically the sections enacted under Ordinance Nos. 864, 876 and 904, and related matters. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item. ***(Deferred 08/07/2013)***

- I. NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, SUITE 209, LĪHU'E, KAUA'I, HAWAI'I, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.