

**COMMITTEE MEETING NOTICE AND AGENDA**

**WEDNESDAY, OCTOBER 2, 2013**

**9:00 A.M. OR SOON THEREAFTER**

**COUNCIL CHAMBERS**

**HISTORIC COUNTY BUILDING**

**4396 RICE STREET, SUITE 201**

**LĪHUʻE, KAUAʻI, HAWAII 96766**

RECEIVED

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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. C 2013-271      Communication (07/16/2013) from Ian K. Jung, Deputy County Attorney, recommending Council approval of a Grant of Pedestrian and Parking Easements relating to Kahuaina Plantation Subdivision (S-2007-02) and Kahuaina Plantation Subdivision Phase II Subdivision (S-2009-15):
  - Grant Of Pedestrian And Parking Easements; concerning real property identified as Lot 15-A (TMK (4) 5-1-003:006), Lot 15-D (TMK (4) 5-1-003:032) and Lot 15-K (TMK (4) 5-1-003:039). *(Deferred 09/04/2013)*
  
2. 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. *(Deferred 09/04/2013)*

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

1. Minutes of the August 5, 2013 Special Economic Development (Sustainability / Agriculture / Food / Energy) & Intergovernmental Relations Committee Meeting. *(Deferred 09/18/2013)*
  
2. EDR 2013-06 Communication (09/17/2013) from Mel Rapozo, Hawai'i State Association of Counties (HSAC) President, transmitting for Council consideration the following proposals to be included in the 2014 HSAC Legislative Package:
  1. A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS (County of Maui)
  2. A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR – H.B. 203 (County of Maui)
  3. A BILL FOR AN ACT RELATING TO TRANSPORTATION (County of Maui)
  4. A BILL FOR AN ACT RELATING TO LIABILITY (County of Kaua'i)
  5. A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX (County of Hawai'i)
  6. A BILL FOR AN ACT RELATING TO EDUCATION (County of Hawai'i)
  7. A BILL FOR AN ACT RELATING TO HEALTH (County of Hawai'i)
  8. A BILL FOR AN ACT RELATING TO VIDEOCONFERENCING – H.B. 358, H.D. 1, S.D. 1 (County of Hawai'i)
  9. A BILL FOR AN ACT RELATING TO HELMETS (City & County of Honolulu)
  10. A BILL FOR AN ACT RELATING TO MOPEDS (City & County of Honolulu)
  11. A RESOLUTION/CONCURRENT RESOLUTION URGING THE U.S. DEPARTMENT OF STATE, THE DEPARTMENT OF HOMELAND SECURITY AND THE UNITED STATES ATTORNEY GENERAL TO EASE VISA RESTRICTIONS FOR THE PEOPLE'S REPUBLIC OF CHINA (City & County of Honolulu)
  12. A BILL FOR AN ACT RELATING TO HAWAI'I EMPLOYER-UNION HEALTH BENEFITS TRUST FUND BOARD OF TRUSTEES (City & County of Honolulu)

13. A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM (City & County of Honolulu)
  14. A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE TAX (City & County of Honolulu)
3. EDR 2013-07 Communication (09/19/2013) from Council Chair Furfaro, transmitting for Council consideration, a proposed Bill for an Act Making an Appropriation for the Regulation of Restricted Use Pesticides, for inclusion in the 2014 Kaua'i County Legislative Package.
  4. EDR 2013-08 Communication (09/25/2013) from the Mayor, transmitting for Council consideration, a proposed Bill for an Act Relating to Capital Improvement Projects for the Benefit of the Eighth Senatorial District, relating to the construction of sheltered Bus Stops and improvements to the Veterans Cemetery, for inclusion in the 2013 Kaua'i County Legislative Package.

#### **D. COMMITTEE OF THE WHOLE**

1. Bill No. 2497 A BILL FOR AN ORDINANCE TO AMEND THE KAUAI COUNTY CODE 1987, AS AMENDED, BY ADDING A NEW ARTICLE TO CHAPTER 4, RELATING TO THE REGISTRATION AND REGULATION OF LOBBYISTS  
*(Public Hearing held on 09/25/2013)*
2. Resolution No. 2013-67 – RESOLUTION AMENDING RESOLUTION NO. 2013-02 RELATING TO THE RULES OF THE COUNCIL OF THE COUNTY OF KAUAI FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS  
*(Referred 09/25/2013)*

**E. 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-672 Pursuant to Hawai'i Revised Statutes 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 regarding the impact of the Koontz vs. St. Johns River Water Management District on the County's ability to impose exactions on developers and issues relating to the County's liability with respect to public access easements, and related matters. This briefing and consultation involves the consideration of the powers, duties, privileges, immunities and/or liabilities of the Council and the County as they relate to this agenda item. *(Referred 09/25/2013)*

F. 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, LĪHUE, KAUA'I, HAWAII, 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.