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MEMORANDUM

July 19, 2013

TO: Bernard P. Carvalho, Jr., Mayor

FROM: Jay Furfaro, Council Chair

RE: JULY 17, 2013 COUNCIL MEETING RECAP

This is to inform you of the action taken by the Council at its July 17, 2013 Council Meeting:

CONSENT CALENDAR:

C 2013-244 Communication (06/17/2013) from the Director of Finance, transmitting for Council consideration, proposed amendments to Section 2, Ordinance No. 891, relating to the Authorization of the Issuance of General Obligation Bonds of the County of Kaua'i 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. ***(Received for the Record.)***

C 2013-245 Communication (06/18/2013) from the Boards and Commissions Administrator, transmitting for Council consideration, proposed amendments to Section 22-5.4 of the Kaua'i County Code 1987, as amended, Relating to the Designation of Exceptional Trees, to correctly identify the boundaries of Exceptional Tree No. K-12. ***(Received for the Record.)***

C 2013-246 Communication (06/18/2013) from the Boards and Commissions Administrator, transmitting for Council consideration, proposed amendments to Chapter 3, Article 1, of the Kaua'i County Code 1987, as amended, Relating to the Code of Ethics, to incorporate Charter Amendment language which was adopted during the 2010 General Election. ***(Received for the Record.)***

C 2013-247 Communication (07/11/2013) from the Director of Finance, transmitting for Council consideration, proposed amendments to Chapter 5A of the Kaua'i County Code 1987, as amended, Relating to Real Property Taxes. ***(Received for the Record.)***

COMMUNICATIONS:

C 2013-248 Communication (05/01/2013) from Council Vice Chair Nakamura, requesting the presence of the Director of Economic Development, representatives from the Kaua'i Economic Development Board (KEDB), and consultant Alan Tang, to provide an update on the Comprehensive Economic Development Strategy (CEDS) – Creative Technology Center Business Plan. ***(Deferred to September 11, 2013 Council Meeting.)***

C 2013-249 Communication (06/13/2013) from the Director of Finance, transmitting for Council information, the Period 10 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of April 30, 2013, pursuant to Section 21 of the Fiscal Year 2012-2013 Operating Budget Ordinance No. B-2012-736 of the County of Kaua'i. *(Copies of the Period 10 Financial Reports as of April 30, 2013 on file in the County Clerk's Office).* ***(Received for the Record.)***

C 2013-250 Communication (06/27/2013) from the Director of Finance, transmitting for Council information, the Period 11 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of May 31, 2013, pursuant to Section 21 of the Fiscal Year 2012-2013 Operating Budget Ordinance No. B-2012-736 of the County of Kaua'i. *(Copies of the Period 11 Financial Reports as of May 31, 2013 on file in the County Clerk's Office).*
(Received for the Record.)

C 2013-251 Communication (06/21/2013) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of May 7, 2013. ***(Received for the Record.)***

C 2013-252 Communication (06/19/2013) from the Executive on Aging, requesting Council approval to apply for, receive, and expend grant funds from Hawai'i Health Connector's Hi'i Ola Program's Marketplace Assister Grant in the amount of $125,000 to provide assistance to consumers fifty-five (55) years of age and older with health care coverage in accordance with President Obama's Affordable Care Act for the following:

1) Three (3) part-time and one (1) full-time equivalent positions, work-related equipment such as laptop computers, mobile phones with Wi-Fi access, training and related travel expenses, marketing, office supplies, interpreter/translation services for non-English speaking clients as needed, vehicle and ground transportation expenses, and administrative overhead. ***(Approved.)***

C 2013-253 Communication (06/20/2013) from the Executive on Aging, requesting Council approval to receive, expend, and indemnify the State Executive Office on Aging for their intent to award State funds to the County of Kaua'i's Agency on Elderly Affairs for Fiscal Years 2013-2015 for the following:

1) Provision of Kupuna Care services in the amount of $1,016,412 or $508,206 per State Fiscal Year.

2) Provision of service to older adults who are at risk of elder abuse in the amount of $45,220 or $22,610 per State Fiscal Year. ***(Approved.)***

C 2013-254 Communication (06/20/2013) from the Executive on Aging, requesting Council approval to receive and expend funds from the grant amendment awarded by the Corporation for National and Community Service to the County of Kaua'i's Agency on Elderly Affairs, Kaua'i Retired and Senior Volunteer Program (RSVP) in the amount of $73,347, including the carry over amount of $9,000 and a one-time augmentation of $1,500, to assist the Kaua'i RSVP in carrying out a national service program as authorized by the Domestic Volunteer Service Act of 1973, as amended (Title 42 United States Code (USC), Chapter 22). ***(Approved.)***

C 2013-255 Communication (06/20/2013) from the Executive on Aging, requesting Council approval to receive, expend, and indemnify the State Executive Office on Aging for their award to the County of Kaua'i's Agency on Elderly Affairs of additional State funds in the amount of $18,048 for the Kupuna Care Program services. A modification to contract KA2013A02 was processed to reflect the increase in funding which totaled $293,994 in additional funding for the provision of personal care, homemaker, home delivered meals, case management and/or adult day health services. ***(Approved.)***

C 2013-256 Communication (06/20/2013) from Council Chair Furfaro, requesting the presence of the Director of Planning, to provide the Council with a briefing on the status of the easement in the Kahuaina Subdivision from Falko Partners that was found to be in favor of the County of Kaua'i, which will provide pedestrian access to the shoreline. ***(Received for the Record.)***

C 2013-257 Communication (07/03/2013) from the County Attorney, requesting Council approval to expend funds up to $5,000 for Special Counsel's continued services provided for in the claim against the County of Kaua'i, filed by Shane N. Matias on June 2, 2010 and related matters. ***(Approved.)***

C 2013-258 Communication (06/14/2013) from the Chief of Police, requesting Council approval to accept a donation of a twenty-four (24) inch by thirty-six (36) inch (National Institute of Justice (NIJ) Level IIIA) Diamond Lite Ballistic Shield from Point Blank Enterprises, Inc. valued at $2,350, for use by patrol officers as the need arises. ***(Approved with thank-you letter to follow.)***

C 2013-259 Communication (07/11/2013) from the County Attorney, requesting Council approval to expend additional funds up to $20,000 for Special Counsel's continued services to advise and represent the County Council in matters relating to the investigation of personnel matters involving the County Auditor's Office, and related matters. ***(Deferred.)***

LEGAL DOCUMENT:

C 2013-260 Communication (07/10/2013) from the Chief of Police, recommending Council approval of a Right of Entry Permit and indemnification of Grove Farm Company, Inc., or any of its affiliates (including/without limitation to Mahaulepu Farm, LLC; Haupu Land Company, LLC; Haili Moe, Inc.; Visionary, LLC; and Līhu'e Land Company) for Right of Entry access at Grove Farm Company, Inc.'s "Old Kōloa Camp." ***(Approved.)***

CLAIMS:

C 2013-261 Communication (06/20/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by the Kaua'i Humane Society, for reimbursement, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2013-262 Communication (07/03/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Ronald J. Barretto, Sr., for funeral expenses, personal injury, medical costs, and emotional distress, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2013-263 Communication (07/05/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Garden Isle Disposal, Inc., for damages to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

C 2013-264 Communication (07/05/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Katherine Ramos, for damages to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the County Attorney's Office for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: **APPROVED.**

RESOLUTION:

Resolution No. 2013-56 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY *(Hugh A. Strom)* ***(Approved.)***

BILLS FOR FIRST READING:

Proposed Draft 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 KAUA'I 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 ***(Approved on 1st reading, Public Hearing scheduled for 08/14/2013, and referred to the Committee of the Whole.)***

Proposed Draft Bill (No. 2493) – A BILL FOR AN ORDINANCE AMENDING SECTION 22-5.4 OF THE KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO DESIGNATION OF EXCEPTIONAL TREES ***(Approved on 1st reading, Public Hearing scheduled for 08/14/2013, and referred to the Environmental Services / Public Safety / Community Assistance Committee.)***

Proposed Draft Bill (No. 2494) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 3, ARTICLE 1, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO THE CODE OF ETHICS ***(Approved on 1st reading, Public Hearing scheduled for 08/14/2013, and referred to the Committee of the Whole.)***

Proposed Draft Bill (No. 2495) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES ***(Approved on 1st reading, Public Hearing scheduled for 08/07/2013 at 8:30 a.m. and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)***

BILLS FOR SECOND READING:

Bill No. 2460, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 12, OF THE KAUA'I COUNTY CODE 1987, AS AMENDED, ENTITLED "BUILDING CODE" ***(Received for the Record.)***

Bill No. 2483, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTERS 7, 8, AND 9, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO THE ADJUSTMENT OF VARIOUS PERMITTING CHARGES AND FEES LEVIED BY THE DEPARTMENT OF PLANNING (County of Kaua'i, Applicant) ***(Approved.)***

Bill No. 2486, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 16 AND CHAPTER 19, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ABANDONED VEHICLES ***(Approved.)***

Bill No. 2487, Draft 1 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 1 BETWEEN JULY 1, 2013 AND JUNE 30, 2017 ***(Approved.)***

Bill No. 2488, Draft 1 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 2, 3, AND 4 BETWEEN JULY 1, 2013 AND JUNE 30, 2015 ***(Approved.)***

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 memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: Council
Via E-mail: KCT Department Heads
KCT CCs
Staff