

COUNTY COUNCIL
Jay Furfaro, Chair
JoAnn A. Yukimura, Vice Chair
Tim Bynum
Dickie Chang
Derek S. K. Kawakami
Nadine K. Nakamura
Mel Rapozo



OFFICE OF THE COUNTY CLERK

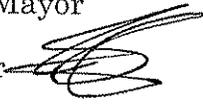
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Līhu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

January 27, 2011

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Jay Furfaro, Council Chair 
SUBJECT: JANUARY 26, 2011, COUNCIL MEETING

This is to inform you of the action taken by the Council at its January 26, 2011 Council meeting and any follow-up that was requested:

COMMUNICATIONS:

- C 2011-37 Communication (12/03/2010) from the Chief, Building Division, Department of Public Works, transmitting for Council information, the Building Permit Information Reports for November 2010:
1) Building Permit Processing Report
2) Building Permit Estimated Value Summary
3) Building Permits Tracking Report
4) Building Permits Status
(Received for the record.)
- C 2011-38 Communication (12/29/2010) from the Purchasing Division, Department of Finance, transmitting for Council information, the Fiscal Year 2010-2011 Second Quarter Statement of Equipment Purchases. **(Received for the record.)**
- C 2011-39 Communication (12/29/2010) from the County Engineer, Department of Public Works, transmitting for Council consideration, a traffic resolution establishing no parking at any time restrictions along portions of Po'ipū Road in the vicinity of the Grand Hyatt Kaua'i Resort & Spa. **(Received for the record.)**
- C 2011-40 Communication (12/30/2010) from the Director of Finance, transmitting for Council information, the Schedule of Fund Balances for Fiscal Year ending June 30, 2010, pursuant to Section 19.14 of the Kaua'i County Charter. **(Received for the record.)**
- C 2011-41 Statement of the Condition of the County Treasury as of November 16, 2010. **(Received for the record.)**

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- C 2011-42 Communication (01/10/2011) from Councilmember Nakamura, providing written disclosure of possible conflicts of interest relating to the interviews of the mayoral appointees to the Planning Commission and the Board of Water Supply at the January 11, 2011 Special Council Meeting, and Resolution Nos. 2011-11, 2011-14, and 2011-18 regarding the aforementioned appointees at the January 26, 2011 Council Meeting, due to her sub-contractual relationship with the consultant firm Wilson Okamoto & Associates (who has a contract with the County of Kaua'i, Planning Department) and her sub-contractual relationship with the consultant firm Kodani & Associates (who has a contract with the County of Kaua'i, Department of Water). **(Received for the record.)**
- C 2011-43 Communication (01/19/2011) from Councilmember Nakamura, providing written disclosure of a possible conflict of interest relating to the interview of a mayoral appointee to the Board of Water Supply at the January 25, 2011 Special Council Meeting, and Resolution No. 2011-24, regarding the appointee, at the January 26, Council Meeting, due to her sub-contractual relationship with the consultant firm Kodani & Associates, who has a contract with the County of Kaua'i Water Department. **(Received for the record.)**
- C 2011-44 Communication (12/20/2010) from the Chief of Police, requesting Council approval to apply for, accept, and expend funds from the State of Hawai'i, Highway Safety Project Grant through the State of Hawai'i, Safe Community Program – Safety Office, in the amount of \$28,004.00, to provide for law enforcement overtime and public education through banners and public service announcements, relating to distracted driving, which includes Ordinance No. 892 – Use of Mobile Electronic Devices While Operating a Vehicle. **(Approved.)**
- C 2011-45 Communication (01/14/2011) from the Mayor, transmitting for Council consideration, a proposed resolution establishing a sister-city relationship with the Municipality of Laoag, Province of Ilocos Norte, Republic of the Philippines, whose City Council has already approved such a relationship with the County of Kaua'i. **(Received for the record.)**
- C 2011-46 Communication (01/14/2011) from the Director of Finance, transmitting for Council consideration, a \$525,448.00 appropriation from the surplus and appropriations estimated in the General Fund to the Golf Fund to fund anticipated revenue shortfalls and repair work at the Wailua Golf Course. **(Received for the record.)**
- C 2011-47 Communication (01/14/2011) from the Director of Finance, transmitting for Council consideration, a \$417,238.00 appropriation from the surplus and appropriations estimated in the General Fund to the Solid Waste Fund to fund anticipated shortfalls and equipment upgrades that will improve compaction at the Kekaha Landfill. **(Received for the record.)**

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- C 2011-48 Communication (01/14/2011) from Councilmember Rapozo, requesting the Administration's presence to provide the Council with an update on the relocation of the Kekaha Lifeguard Tower. **(Received for the record with a letter to be sent to the U.S. Army Corps of Engineers signed by the Public Safety & Environmental Services Committee Chair Rapozo and Vice Chair Yukimura, asking them, on behalf of public safety, to allow the lifeguard tower to remain at its present location.)**
- C 2011-49 Communication (01/18/2011) from Councilmember Bynum, transmitting for Council consideration, a \$300,000.00 appropriation from the surplus and appropriations estimated in the General Fund to the Office of the County Clerk – Council Services Division, to fund unanticipated costs associated with furniture and equipment for the Historic County Building, and other operational costs associated with the renovation of the Historic County Building. **(Received for the record.)**
- C 2011-50 Communication (01/04/2011) from the Prosecuting Attorney, requesting Council approval to apply for, receive and expend \$32,335.00 from the County of Kaua'i, Community Development Block Grant Program Year 2011, to purchase a fuel efficient vehicle for Process Serving in low/moderate income areas. **(Received for the record.)**
- C 2011-51 Communication (01/07/2011) from the Chief, Building Division, Department of Public Works, requesting Council approval to apply for, receive, and spend the FEMA Hazard Mitigation Grant for the retrofit of the Kaua'i Historic County Building of which FEMA will fund \$461,250.00 and the County's match will be \$153,750.00. **(Approved.)**
- C 2011-52 Communication (01/07/2011) from the Executive on Aging, requesting Council approval of the following:
- 1) Agency on Elderly Affairs's (AEA) 4-Year Area Plan on Aging (from October 1, 2011 through September 30, 2015). It serves as the blueprint and framework for program development and service delivery for the next four years and is a compliance document that will enable the County's AEA to receive federal funds and administer programs and services for older adults as an Area Agency on Aging.
 - 2) to apply for, receive, and expend federal funds through the Older Americans Act, as amended, from the Administration on Aging, to cover the future Area Plan on Aging for Fiscal Year 2012 - 2015, in the anticipated total amount of \$555,111.00 for FY 2012, for the first of a four-year funding period, and
 - 3) to indemnify the State Executive Office on Aging.
- (Approved.)**
- C 2011-53 Communication (01/06/2011) from Robert G. F. Lee, Major General, HING, Director of Civil Defense, informing the Council of the appointment of Mayor Bernard P. Carvalho, Jr. as the Deputy Director of Civil Defense for the County of Kaua'i, in accordance with H.R.S. Section 128-3(d). **(Approved.)**

CLAIMS:

C 2011-54 Communication (01/03/2011) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Michael Cox for damage to his 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.**

RESOLUTIONS:

Resolution No. 2010-59, RESOLUTION AUTHORIZING THE ACQUISITION OF THE FEE SIMPLE INTEREST IN LANDS REQUIRED FOR PUBLIC USE TO WIT: AN ADDITION TO THE PUBLIC PARK SYSTEM, SITUATED AT HANALEI, DISTRICT OF HALELE'A, COUNTY OF KAUA'I, STATE OF HAWAII, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN **(Approved.)**

Resolution No. 2011-24, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY (*Daryl Wayne Kaneshiro*) **(Approved.)**

Resolution No. 2011-25, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION (*Glen H. Takenouchi*) **(Approved.)**

Resolution No. 2011-26, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION (*Laurie Lynn Koike Yoshida*) **(Approved.)**

Resolution No. 2011-27, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF REVIEW (*Jose Ricardo da Silva Diogo*) **(Approved.)**

Resolution No. 2011-28, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION (*Brant Shoichi Fuchigami*) **(Approved.)**

Resolution No. 2011-29, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION (*Charles Patrick Stack*) **(Approved.)**

Resolution No. 2011-30, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF ETHICS (*Kathleen Ann Clark*) **(Approved.)**

Resolution No. 2011-31, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE FIRE COMMISSION (*Guy Spencer Croydon*) **(Approved.)**

Resolution No. 2011-34, RESOLUTION ESTABLISHING NO-PARKING AT ANY TIME ALONG PORTIONS OF PO'IPU ROAD, KOLOA DISTRICT, COUNTY OF KAUA'I **(Approved.)**

Resolution No. 2011-35, RESOLUTION INVITING THE MUNICIPALITY OF LAOAG, PROVINCE OF ILOCOS NORTE, REPUBLIC OF THE PHILIPPINES, TO ENTER INTO A SISTER-CITY RELATIONSHIP WITH THE COUNTY OF KAUAI, STATE OF HAWAII, UNITED STATES OF AMERICA **(Approved as amended to Resolution No. 2011-35, Draft 1.)**

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2396) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2010-705, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND (\$525,448 – *Golf Fund*) **(Approved on first reading, public hearing scheduled for February 23, 2011, and thereafter referred to the Committee of the Whole.)**

Proposed Draft Bill (No. 2397) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2010-705, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND (\$417,238 – *Solid Waste Fund*) **(Approved on first reading, public hearing scheduled for February 23, 2011, and thereafter referred to the Public Safety & Environmental Services Committee)**

Proposed Draft Bill (No. 2398) – AN ORDINANCE AMENDING ORDINANCE NO. B-2010-705, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND (\$300,000 – *Office of the County Clerk – Council Services Division*) **(Approved on first reading, public hearing scheduled for February 23, 2011, and thereafter referred to the Finance/Parks & Recreation/Public Works Programs Committee.)**

BILLS FOR SECOND READING:

Bill No. 2385 – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2010-705, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND (\$90,211-County Auditor) **(Approved as amended to Bill No. 2385, Draft 1.)**

Bill No. 2387 – AN ORDINANCE AMENDING ORDINANCE NO. B-2010-706, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND (\$1,571,001.00 – *County 800 Mhz radio system P25 compliance upgrade*) **(Approved.)**

Bill No. 2389 – AN ORDINANCE AMENDING ORDINANCE NO. B-2010-705, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE VARIOUS FUNDS AND MAKING THE APPROPRIATE TEXT CHANGES AS IT RELATES TO FURLOUGHS (\$2,328,554.00) **(Approved as amended to Bill No. 2389, Draft 1.)**

Bill No. 2390 – AN ORDINANCE AMENDING ORDINANCE NO. B-2010-705, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND (\$575,000.00 - *Kauai Bus services expansion*) **(Approved.)**

Bill No. 2391 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2010-705, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011, BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND (\$200,000.00 – *Kauai Visitors Bureau*) **(Approved.)**

Bill No. 2392 – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2010-705, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011 BY REVISING THE SURPLUS AND APPROPRIATIONS ESTIMATED IN THE GENERAL FUND (\$325,000.00 – *County Auditor*) **(Approved.)**

Bill No. 2393 – A BILL FOR AN ORDINANCE AUTHORIZING THE COUNTY AUDITOR TO PROCURE THE SERVICES OF A CONTRACT AUDITOR AND APPROVING A CONTRACT FOR A CONTRACT AUDITOR FROM APPROPRIATIONS OF A LATER FISCAL YEAR AND FOR MORE THAN ONE FISCAL YEAR **(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.

Copy: Council
via e-mail: KCT Department Heads
KCT CCs
Staff