COUNTY COUNCIL
Jay Furfaro, Chair
Mason K. Chock, Sr., Vice Chair
Tim Bynum
Gary L. Hooser
Ross Kagawa
Mel Rapozo
JoAnn A. Yukimura

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MEMORANDUM

October 10, 2014

TO: Bernard P. Carvalho, Jr., Mayor

FROM: Jay Furfaro, Council Chair

RE: OCTOBER 8, 2014 COUNCIL MEETING RECAP

This is to inform you of the action taken by the Council at its October 8, 2014 Council Meeting:

CONSENT CALENDAR:

C 2014-259 Communication (09/25/2014) from the County Attorney, transmitting for Council consideration, proposed amendments to Ordinance No. B-2014-781, as amended, relating to the Operating Budget of the County of Kaua'i, for the Fiscal Year 2014-2015, by revising the amounts estimated in the General Fund. *(Office of the County Attorney, Special Counsel Account - $67,933)* ***(Received for the Record.)***

C 2014-260 Communication (09/26/2014) from Councilmember Bynum and Councilmember Hooser, transmitting for Council consideration, a Resolution Establishing A Council Investigative Committee To Investigate The Implementation And Management Of Section 5A-9.1 And Section 22-7.1 Through 22-7.27, Kaua'i County Code 1987, As Amended, Relating To The Dedication Of Land For Agricultural Use, And Grading, Grubbing And Stockpiling, Within The County Of Kaua'i. ***(Received for the Record.)***

COMMUNICATIONS:

C 2014-261 Communication (09/10/2014) from Council Vice Chair Chock, transmitting for Council consideration, a proposed draft Bill for an Act relating to the Transient Accommodations Tax (TAT), which restores the Counties' share of TAT revenues to forty-four point eight percent (44.8%) of the total TAT collection, for inclusion in the 2015 County of Kaua'i Legislative Package. ***(Approved.)***

C 2014-262 Communication (09/15/2014) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend federal funds in the amount of $17,316, for the Services-Training-Officers-Prosecutors (STOP) Violence Against Women Grant to host a Domestic Violence Training on Kaua'i on October 23-24, 2014, for twenty-five (25) Deputy Prosecutors, Victim Witness Counselors and Attorneys from the Attorney General's Office from the different counties in the State of Hawai'i. ***(Approved.)***

C 2014-263 Communication (09/18/2014) from Mel Rapozo, Hawai'i State Association of Counties (HSAC) President, transmitting for Council consideration the following proposals to be included in the 2015 HSAC Legislative Package and a list of Legislative Priorities, which were approved by the HSAC Executive Committee on September 15, 2014:

2015 HSAC LEGISLATIVE PACKAGE:

1. A Bill for an Act Relating to Transient Accommodations Tax (Proposed by the County of Maui) ***(Approved.)***

2. A Bill for an Act Relating to the Pacific International Space Center for Exploration Studies (Proposed by the County of Hawai'i) ***(Approved.)***

3. A Bill for an Act Relating to the Hawai'i Health Systems Corporation Primary Care Training Program (Proposed by the County of Hawai'i) ***(Approved.)***

4. A Bill for an Act Relating to Abuse of Family or Household Member (Proposed by the County of Hawai'i) ***(Approved.)***

5. A Bill for an Act Relating to Evidence (Proposed by the County of Kaua'i) ***(Approved.)***

6. A Bill for an Act Relating to Zoning (Proposed by the County of Kaua'i) ***(Approved.)***

2015 HSAC LEGISLATIVE PRIORITIES:

1. Transient Accommodations Tax

2. Retail Sales Tax

3. General Excise Tax

4. Open Government (including the Sunshine Law and Uniform Information Practices Act)

5. Transportation

6. Capital Improvement Projects

(Proposed by the County of Maui)
(Received for the Record.)

C 2014-264 Communication (09/29/2014) from Councilmember Bynum, requesting the presence of Mona W. Clark, Deputy County Attorney, to provide the Council with an update on the Office of the County Attorney's investigation of certain properties receiving agricultural land dedication and their compliance to Ordinance No. 808 (Grading, Grubbing, and Stockpiling), specifically Tax Map Key Nos. (4) 3-3-018-002, (4) 3-8-004-001, and (4) 3-7-001-001. ***(Deferred.)***

CLAIM:

C 2014-265 Communication (09/30/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Alfred Aragona, for damage to personal property, 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. 2014-45 – RESOLUTION ESTABLISHING A COUNCIL INVESTIGATIVE COMMITTEE TO INVESTIGATE THE IMPLEMENTATION AND MANAGEMENT OF SECTION 5A-9.1 AND SECTION 22-7.1 THROUGH 22-7.27, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO THE DEDICATION OF LAND FOR AGRICULTURAL USE, AND GRADING, GRUBBING AND STOCKPILING, WITHIN THE COUNTY OF KAUA'I ***(Deferred.)***

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2561) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2014-781, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2014 THROUGH JUNE 30, 2015, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Office of the County Attorney, Special Counsel Account - $67,933)* ***(Approved on 1st reading, Public Hearing scheduled for 11/05/2014, 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. 2551, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 21, SECTIONS 21-1.3 AND 21-9.1, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT TO ESTABLISH VARIABLE RATES FOR THE COLLECTION OF RESIDENTIAL AND COMMERCIAL REFUSE (PAY AS YOU THROW) ***(Approved.)***

Bill No. 2552 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2014-781, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2014 THROUGH JUNE 30, 2015 BY REVISING THE AMOUNTS ESTIMATED IN THE CRIMINAL ASSETS FORFEITURE FUND *(Kaua'i Police Department, Exercise Equipment – $70,000)* ***(Approved.)***

Bill No. 2554, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES *(Real Property Tax Relief for the 2014 Tax Year)* ***(Approved.)***

Bill No. 2555 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2014-781, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2014 THROUGH JUNE 30, 2015, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Real Property Tax Relief Funding – $750,000)* ***(Amended on 2nd reading; Public Hearing scheduled for 10/22/2014 at 8:30 a.m., and referred to the October 22, 2014 Council Meeting.)***

Bill No. 2556 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAXES *(Reinstating the Permanent Home Use Tax Limit)* ***(Received for the Record.)***

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: KCT Department Heads *(Via E-mail)*
KCT CCs *(Via E-mail)*
Council Services Staff *(Via E-mail)*