

COUNCIL MEETING NOTICE AND AGENDA
THURSDAY, JUNE 13, 2019
8:30 A.M. OR SOON THEREAFTER
COUNCIL CHAMBERS
HISTORIC COUNTY BUILDING
4396 RICE STREET, SUITE 201
LIHU'E, KAUA'I, HAWAII 96766

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. MINUTES of the following meetings of the Council:

1. Minutes of the April 24, 2019 Council Meeting
2. Minutes of the May 1, 2019 Special Council Meeting
3. Minutes of the May 8, 2019 Council Meeting
4. Minutes of the May 14, 2019 Special Council Meeting
5. Minutes of the May 22, 2019 Public Hearing re: C 2019-110
6. Minutes of the May 29, 2019 Public Hearing re: Bill No. 2746, Bill No. 2747, and Bill No. 2748

E. CONSENT CALENDAR:

1. [C 2019-127](#) Communication (05/14/2019) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral appointments to the various Boards and Commissions for the County of Kaua'i:
 - a. Civil Service Commission
 - Ricky R. Watanabe – Term ending 12/31/2022
 - b. Charter Review Commission
 - Reid R. Kawane – Term ending 12/31/2022
(See Resolution No. 2019-38 and Resolution No. 2019-39)

2. [C 2019-128](#) Communication (05/23/2019) from Councilmember Evslin, providing written disclosure of a possible conflict of interest and recusal relating to Agenda item C 2019-116 and Proposed Draft Bill (No. 2752), regarding Zoning Amendment ZA-2019-2 (*Island School, Applicant*), as his sister is a member of the Board of Directors for Island School and his brother is serving as the Dean of Students for Island School.

F. COMMUNICATIONS:

1. [C 2019-129](#) Communication (03/20/2019) from the Deputy Fire Chief, requesting Council approval, to accept a donation from the Friends of Kaua'i Fire Department, of a 100 foot Short-Haul Line and two (2) 338 Heli-Ops Harnesses, valued at \$3,250.00, for the County of Kaua'i Fire Department.

2. [C 2019-130](#) Communication (05/06/2019) from Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to receive and expend Federal funds, in the amount of \$41,613.00, from the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Project No. 17-DJ-03, which will be used for drug-related investigations, training, K9 supplies, eradication projects, and travel to other islands for joint operations with other law enforcement agencies. Approval to indemnify the State of Hawai'i Department of the Attorney General for the term commencing March 1, 2019 to December 31, 2019 is also requested.

3. [C 2019-131](#) Communication (05/09/2019) from Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to receive and expend Federal funds, in the amount of \$92,652.00, from the Paul Coverdell Forensic Science Improvement Grants Program, for the Opioid Field Investigation Safety Project No. 18-CD-04, which will be used to purchase one (1) handheld combination Raman Fourier-transform infrared spectroscope, inclusive of the associated training, to address the growing opioid abuse epidemic on Kaua'i. Approval to indemnify the State of Hawai'i Department of the Attorney General for the term commencing January 1, 2019 to December 31, 2019 is also requested.

4. [C 2019-132](#) Communication (05/21/2019) from Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to accept equipment of a cardscan latent print system from the Office of the Attorney General, in the amount of \$7,837.50, which will replace the current cardscan system that is no longer supported with updates from Microsoft or the equipment vendor. The purchase of equipment will include a one-year warranty after which, the Kaua'i Police Department will be responsible for continued maintenance at a cost of \$1,200.00 per year plus tax.

5. [C 2019-133](#) Communication (05/21/2019) from Ka'āina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to amend Section 8-15.1(d) of the Kaua'i County Code 1987, as amended, relating to Additional Dwelling Unit on Other than Residentially Zoned Lots. *(Copies of the Draft Ordinance for Zoning Amendment (ZA-2019-4); Excerpt Minutes from the March 27, 2019 Planning Commission Meeting; and Director's Report, on file in the Office of the County Clerk.) (See Proposed Draft Bill (No. 2693))*

G. CLAIMS:

1. [C 2019-134](#) Communication (05/21/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Steven and Yvonne Stoner, for damage to their property, pursuant to Section 23.06, Charter of the County of Kaua'i.

2. [C 2019-135](#) Communication (05/24/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Leonie C. Dabancourt, for damages to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

3. [C 2019-136](#) Communication (05/24/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Progressive Advanced Insurance Company, as subrogee for Katharine Mesanko, for damages to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

4. [C 2019-137](#) Communication (05/24/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Dwight and Penny Matsushima, for damage to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

5. [C 2019-138](#) Communication (05/24/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Catana L. Padilla, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

6. [C 2019-139](#) Communication (05/28/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Patty-Ann Kalena Machado, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

H. COMMITTEE REPORT:

1. PLANNING COMMITTEE:

a. **CR-PL 2019-04:** on Bill No. 2747

A BILL FOR AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 14, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND [**Approved as Amended.**]

I. RESOLUTIONS:

1. [Resolution No. 2019-38](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CIVIL SERVICE COMMISSION (*Ricky R. Watanabe*)

2. [Resolution No. 2019-39](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION (*Reid R. Kawane*)

J. BILL FOR FIRST READING:

1. [Proposed Draft Bill \(No. 2693\)](#) – A BILL FOR AN ORDINANCE AMENDING SUBSECTION 8-15.1(d), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ADDITIONAL DWELLING UNIT ON OTHER THAN RESIDENTIALLY ZONED LOTS

K. BILL FOR SECOND READING:

1. [Bill No. 2747, Draft 1](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 14, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND (*See also CR-PL 2019-04; the Planning Committee recommended approval as amended to Bill No. 2747, Draft 1 on June 5, 2019.*)

L. 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 at the Office of the County Attorney and/or the Office of the County Clerk. Discussions held in Executive Session are closed to the public.)

M. ADJOURNMENT.

N. PUBLIC HEARING NOTE: If the Council is not finished with this meeting by approximately 1:30 p.m., it will recess for a public hearing on the following. After the public hearing, the Council will reconvene to complete any unfinished business.

*[*For complete information, including a summary of the item, please refer to the official Notice of Public Hearing. The official Notice of Public Hearing has been published, posted on the bulletin board, and filed in the Office of the County Clerk as required by law. Notwithstanding this Council Agenda, the Council may hold a public hearing on any item which has been posted in advance in compliance with the Sunshine Law.]*

For a copy of the notice, please go to: <http://www.kauai.gov/Council/PublicHearings>

1. [Bill No. 2749](#) – A BILL FOR AN ORDINANCE AMENDING SUBSECTION 8-1.5 AND SUBSECTION 8-4.3, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DEVELOPMENT STANDARDS WITHIN THE RESIDENTIAL DISTRICT (*County of Kaua'i Planning Department, Applicant*)
2. [Bill No. 2750](#) – A BILL FOR AN ORDINANCE AMENDING SECTION 5A-5.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX LIENS AND FORECLOSURES
3. [Bill No. 2751](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX

O. 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, LIHU'E, KAUAI, HAWAII 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

***TO VIEW MEETINGS OR MEETING ARCHIVES, PLEASE VISIT: WWW.KAUAI.GOV/WEBCASTMEETINGS.**