

COUNCIL MEETING NOTICE AND AGENDA
WEDNESDAY, JANUARY 23, 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. November 28, 2018 Council Meeting
2. January 9, 2019 Council Meeting

E. COMMUNICATIONS:

1. [C 2019-25](#) Communication (01/02/2019) from Ka‘āina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission’s recommendation to amend the Zoning Designation of a portion of Tax Map Key (TMK) (4) 4-4-013:002, Kapahi, Kaua‘i, from “Open District (O)” to “Agriculture District (A)” subject to the condition stated in the bill. (*Copies of the Draft Ordinance for Zoning Amendment (ZA-2018-1); Minutes from the October 10, 2017, November 14, 2017, June 26, 2018, and November 13, 2018 Planning Commission Meetings; Director’s Report; and Supplement to the Director’s Report #1-5, on file in the Office of the County Clerk.*) (**See Proposed Draft Bill (No. 2733)**)

2. [C 2019-26](#) Communication (01/02/2019) from Council Chair Kaneshiro, requesting the presence of the Managing Director, Director of Finance, and representatives from N&K CPAs, Inc., to discuss the [Comprehensive Annual Financial Report \(CAFR\)](#), [Single Audit Reports](#), and [Management Advisory Report](#) for the Fiscal Year Ended June 30, 2018. (*Copies of the CAFR, Single Audit Reports, and Management Advisory Report for the Fiscal Year Ended June 30, 2018 on file in the Office of the County Clerk.*)

3. [C 2019-27](#) Communication (01/10/2019) from Councilmember Cowden, requesting the presence of the Deputy County Engineer, for a briefing on the Weke Road Reconstruction project to discuss the status of the project, including but not limited to, parking concerns during the reconstruction project, project coordination with the removal and re-building of damaged homes in this area, and concerns regarding ponding of bacteria-infested water.

F. CLAIMS:

1. [C 2019-28](#) Communication (01/02/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Clinton C. St. Classis Brown, for damages to his vehicle, personal injury, medical bills, and loss of income, pursuant to Section 23.06, Charter of the County of Kaua'i.
2. [C 2019-29](#) Communication (01/02/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Joan Aanavi, for damages to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

G. COMMITTEE REPORTS:

1. COMMITTEE OF THE WHOLE:

- a. **CR-COW 2019-01:** on Bill No. 2726

A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SPECIAL STATE CIP FUND (*Special State CIP Fund, Lima Ola Affordable Housing Project - \$13,000,000.00*) **[Approved.]**

b. CR-COW 2019-02: on Bill No. 2727

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND (*Various Wastewater Improvements - \$1,000,000.00*) **[Approved.]**

c. CR-COW 2019-03: on Bill No. 2728

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND GENERAL FUND-CIP (*Helicopter Hangar and Kilauea/Kolo Road Improvements - \$995,000.00*) **[Approved.]**

d. CR-COW 2019-04: on Bill No. 2729

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-841, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER FUND (*Wailua Wastewater Treatment Plant Improvements (Operating Budget) - \$530,000.00*) **[Approved.]**

e. **CR-COW 2019-05:** on Bill No. 2730 A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER TRUST FUND (*Wailua Wastewater Treatment Plant Improvements (CIP Budget) - \$530,000.00*) **[Approved.]**

f. **CR-COW 2019-06:** on Bill No. 2731 A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-841, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Kauai Fire Department – Two (2) Full-Time Ocean Safety Officer II and One (1) Ocean Safety Officer I Positions*) **[Approved.]**

H. BILL FOR FIRST READING:

1. [Proposed Draft Bill \(No. 2733\)](#) – A BILL FOR AN ORDINANCE AMENDING ZONING DESIGNATION IN KAPAHI, KAUAI (*Baird Family Limited Partnership, Applicant*) (ZA-2018-1)

I. BILLS FOR SECOND READING:

1. [Bill No. 2726](#) – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SPECIAL STATE CIP FUND (*Special State CIP Fund, Lima Ola Affordable Housing Project - \$13,000,000.00*) (See also CR-COW 2019-01; the Committee of the Whole recommended approval on second and final reading.)

2. [Bill No. 2727](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND (*Various Wastewater Improvements - \$1,000,000.00*) (See also CR-COW 2019-02; the Committee of the Whole recommended approval on second and final reading.)

3. [Bill No. 2728](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND GENERAL FUND-CIP (*Helicopter Hangar and Kīlauea/Kolo Road Improvements - \$995,000.00*) (See also CR-COW 2019-03; the Committee of the Whole recommended approval on second and final reading.)

4. [Bill No. 2729](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-841, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER FUND (*Wailua Wastewater Treatment Plant Improvements (Operating Budget) - \$530,000.00*) (See also CR-COW 2019-04; the Committee of the Whole recommended approval on second and final reading.)

5. [Bill No. 2730](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER TRUST FUND (*Wailua Wastewater Treatment Plant Improvements (CIP Budget) - \$530,000.00*) (See also CR-COW 2019-05; the Committee of the Whole recommended approval on second and final reading.)

6. [Bill No. 2731](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-841, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Kaua‘i Fire Department – Two (2) Full-Time Ocean Safety Officer II and One (1) Ocean Safety Officer I Positions*) (See also CR-COW 2019-06; the Committee of the Whole recommended approval on second and final reading.)

J. 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.)

K. ADJOURNMENT.

L. 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, LĪHUʻE, KAUAʻI, HAWAII 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

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