

**AMENDED**  
**COUNCIL MEETING NOTICE AND AGENDA**  
**WEDNESDAY, APRIL 12, 2017**  
**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 meeting of the Council:

1. November 23, 2016 Council-Elect Meeting

E. CONSENT CALENDAR:

1. [C 2017-82](#) Communication (02/27/2017) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Linda Kaauwai-Iwamoto to the Fire Commission – Partial Term ending 12/31/2017. ***(See Resolution No. 2017-30)***
  
2. [C 2017-83](#) Communication (03/08/2017) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral appointments to various Boards and Commissions for the County of Kaua'i:
  - a. Zoning Board of Appeals
    - Adam Asquith – Term ending 12/31/2019\*
    - Allan H. Parachini – Term ending 12/31/2019\*
    - \*(Pending Scheduling of Interviews and Briefing on the Zoning Board of Appeals by the Administration)*
  
  - b. Charter Review Commission
    - Isaac K. Cockett – Term ending 12/31/2019
    - (See Resolution No. 2017-31)***

3. [C 2017-84](#) Communication (03/13/2017) from the Director of Finance, transmitting for Council information, the Period 7 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of January 31, 2017, pursuant to Section 21 of Ordinance No. B-2016-812, relating to the Operating Budget of the County of Kauaʻi for Fiscal Year 2016-2017. *(Copies of the Period 7 Financial Report as of January 31, 2017 on file in the Office of the County Clerk.)*
4. [C 2017-85](#) Communication (03/17/2017) from Councilmember Yukimura, providing written disclosure of a possible conflict of interest and recusal regarding Bill No. 2645, the Mayor’s Proposed Operating Budget for Fiscal Year 2017-2018, specifically the Boys & Girls Club (Department of Parks & Recreation – Kauaʻi War Memorial Convention Hall), as she is on the Kauaʻi Advisory Board for the Boys & Girls Club of Hawaiʻi.
5. [C 2017-86](#) Communication (03/21/2017) from Councilmember Kaneshiro, providing written disclosure of a possible conflict of interest and recusal regarding Bill No. 2645, the Mayor’s Proposed Operating Budget for Fiscal Year 2017-2018, specifically the Kauaʻi Soil Conservation (Department of Public Works – Grant-In-Aid), as he is the Director for the East Kauaʻi Soil & Water Conservation District.
6. [C 2017-87](#) Communication (03/21/2017) from Councilmember Kaneshiro, providing written disclosure of a possible conflict of interest and recusal regarding Bill No. 2645, the Mayor’s Proposed Operating Budget for Fiscal Year 2017-2018, specifically Grove Farm (Puhi Metals Recycling Liabilities in the Department of Finance – Emergency Management Agency), as he is a Project Manager employed by Grove Farm Company, Inc.
7. [C 2017-88](#) Communication (03/22/2017) from the Hawaiʻi State Association of Counties (HSAC) President, transmitting for Council consideration, a Resolution Approving The Fiscal Year 2018 Proposed Operating Budget For The Hawaiʻi State Association Of Counties. ***(See Resolution No. 2017-32)***
8. [C 2017-89](#) Communication (03/23/2017) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of February 7, 2017.

F. COMMUNICATIONS:

1. [C 2017-90](#) Communication (03/13/2017) from the Housing Director, requesting Council approval for the following:
  - a. Acquisition under the County's Community Development Block Grant (CDBG) Program of a residential unit at 5440 Makaloa Street, Kapa'a, Kaua'i Hawaii'i, 96746, Tax Map Key (TMK): (4) 4-6-013-111, for a purchase price of not more than \$510,000, based on the fee simple market appraisal, which will be obtained through this transaction;
  - b. Resale of 5440 Makaloa Street, Kapa'a, Kaua'i, Hawaii'i, 96746, by leasehold market appraisal, which will be obtained through this transaction; and
  - c. Authorize the County Clerk to sign legal documents related to the acquisition and resale transactions.
2. [C 2017-91](#) Communication (03/13/2017) from Councilmember Chock, requesting the presence of the Planning Director, to provide a comprehensive presentation on the duties and responsibilities of the Zoning Board of Appeals, and other related matters.
3. [C 2017-92](#) Communication (03/22/2017) from the Chair of the Committee on the Status of Women, requesting Council approval to receive and expend funds, in the amount of \$2,000.00, from the Hawaii'i State Commission on the Status of Women, to support ongoing advocacy and work towards equality for women and girls by acting as a catalyst for positive change through advocacy, education, collaboration, and program development.
4. [C 2017-93](#) Communication (03/24/2017) from Michael A. Dahilig, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to Chapter 8, Kaua'i County Code 1987, as amended, to include properties shown on Zoning Map ZM-PO 300 (Po'ipū) to adjust the "Visitor Destination Area," also known as the "Timeshare Boundary" to include parcels Tax Map Key Nos. (4) 2-8-21:041 and 2-8-21:044-068. *(Copies of the Draft Ordinance for Zoning Amendment (ZA-2017-2), Director's Report, and Excerpt of Minutes from the January 24, 2017 and February 14, 2017 Planning Commission Meetings, on file in the Office of the County Clerk.) (See Proposed Draft Bill (No. 2647))*

5. [C 2017-94](#) Communication (04/03/2017) from the Prosecuting Attorney, requesting Council approval to correct the grant period for Contract 15-DJ-05, which was approved by the Council on July 6, 2016 as item C 2016-152. The corrected grant period is April 1, 2017 to March 31, 2018.

#### G. CLAIMS:

1. C 2017-95 Communication (03/10/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Adrian Pu'u, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.
2. C 2017-96 Communication (03/15/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Jeanette Jensen-Engstrom, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.
3. C 2017-97 Communication (03/17/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Ruth Johnson, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.
4. C 2017-98 Communication (03/20/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Thomas K. Lamb, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

#### H. COMMITTEE REPORTS:

##### 1. PUBLIC WORKS / PARKS & RECREATION COMMITTEE:

- a. **CR-PWPR 2017-12:** on PWPR 2017-10 Communication (03/28/2017) from Council Chair Rapozo, requesting the presence of the Acting County Engineer and the Director of Human Resources, to provide a briefing on the Administration's plans to create a "Logistics Team" within the Department of Public Works. **[Received for the Record.]**

**2. PLANNING COMMITTEE:****a. CR-PL 2017-05:** on PL 2017-02

Communication (03/22/2017) from Committee Chair Chock, requesting the presence of the Planning Director, to provide an update on the Administration's recommendations for an islandwide Additional Rental Unit (ARU) policy. **[Received for the Record.]**

**I. RESOLUTIONS:**

1. [Resolution No. 2017-24](#) – RESOLUTION SUPPORTING THE PRINCIPLES OF THE UNITED NATIONS' CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (*Deferred March 22, 2017*)

2. [Resolution No. 2017-30](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE FIRE COMMISSION (*Linda Kaauwai-Iwamoto*)

3. [Resolution No. 2017-31](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION (*Isaac K. Cockett*)

4. [Resolution No. 2017-32](#) – RESOLUTION APPROVING THE FISCAL YEAR 2018 PROPOSED OPERATING BUDGET FOR THE HAWAII STATE ASSOCIATION OF COUNTIES

**J. BILL FOR FIRST READING:**

1. [Proposed Draft Bill \(No. 2647\)](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING MAP ZM-PO 300 (*CIRI Land Development Company, Applicant*) (ZA-2017-2)

**K. 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.)*

1. ES-900 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney, requests an Executive Session with the Council, to provide the Council with a briefing and request for authority to settle the case of Diana Gausepohl-White vs. County of Kaua'i, et al., Civil No. CV 16-00494 ACK-KSC (U.S. District Court), and related matters. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

**L. ADJOURNMENT.**

**M. 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](http://WWW.KAUAI.GOV/WEBCASTMEETINGS).**