

COUNCIL MEETING NOTICE AND AGENDA

WEDNESDAY, JUNE 14, 2017

8:30 A.M. OR SOON THEREAFTER

COUNCIL CHAMBERS

HISTORIC COUNTY BUILDING

4396 RICE STREET, SUITE 201

LĪHU‘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. April 26, 2017 Council Meeting
2. May 17, 2017 Council Meeting
3. May 23, 2017 Public Hearing re: C 2017-125

E. CONSENT CALENDAR:

1. [C 2017-135](#) Communication (05/17/2017) from the Director of Finance, transmitting for Council information, the following reports:
 1. County of Kaua‘i Bond Summary of General Long-Term Debt Amount Outstanding as of July 1, 2016;
 2. County of Kaua‘i Bond Supplemental Summary of General Long-Term Debt Amount Outstanding as of June 30, 2017; and Excluded County of Kaua‘i Bond Supplemental Summary of Long-Term Debt Amount Outstanding as of June 30, 2016: CFD No. 2008-1 (Kukui‘ula Development Project) Special Tax Bonds, Series 2012, sold April 25, 2012.

F. COMMUNICATIONS:

1. [C 2017-136](#) Communication (05/03/2017) from the Housing Director, requesting Council approval to dispose of the following government records, pursuant to Hawai'i Revised Statutes (HRS) Section 46-43 and Resolution No. 2008-39 (2008) as amended, which have been kept for over seven (7) years and are no longer of use or value:
 - Contracts (Contracts closed) (Prior to 2009)
 - Statements/deposits (Kālepa/Pa'anau bank statements, deposits) (1997-2007 and 2007-2009) and (HCDRF deposits, financial reports) (Prior to 2007)
 - Financial reports (Section 8 financial reports) (Fiscal Year 2009)
 - Staff timesheets (Timesheets) (Calendar Year 2008)
 - Client and Vendor files (Section 8 archived client and vendor files) (Prior to 2009)
 - Homebuyer files (Homebuyer files (includes income, financial, and title information)) (Prior to 2009)

2. [C 2017-137](#) Communication (05/17/2017) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend funds in the amount of \$30,000.00, from the State Department of Labor and Industrial Relations (DLIR), to work with the Department of Education (DOE) – Natural Resources Pathway and Future Farmers of America (FFA) programs at Kaua'i, Kapa'a, and Waimea High Schools in providing summer internship programs for students to work at Kaua'i farms, ranches, and agriculture-related businesses.

3. [C 2017-138](#) Communication (05/19/2017) from the Director of Parks & Recreation, requesting Council approval to apply for, receive, and expend the National Park Service Land and Water Conservation Fund grant, in the amount of \$250,000.00 with a match of \$250,000.00 from the County of Kaua'i's Capital Improvement Project (CIP) funds, to resurface tennis and basketball courts at five (5) parks, for a total amount of \$500,000.00: Kalawai, Peter Rayno, Wailua Houselots, Puhi, and Bryan J. Baptiste Sports Complex.

4. [C 2017-139](#) Communication (05/26/2017) from the Emergency Management Administrator, requesting Council approval to apply for, receive, and expend Hazard Mitigation Grant funds from the United States Department of Homeland Security, via State of Hawai'i Emergency Management Agency, for a total estimated amount of \$428,125.00, to be used for the installation of a stage-only gage at Hanakāpī'ai Stream, and hardening of the Kalāheo Gymnasium and Kaua'i War Memorial Convention Hall for evacuation shelter purposes.

5. [C 2017-140](#) Communication (05/26/2017) from the Emergency Management Administrator, requesting Council approval to accept a donation of a 35 kilowatt (kW) generator and transfer switch from the American Red Cross, valued at an estimated \$25,000.00, for emergency management/response use.

6. [C 2017-141](#) Communication (06/02/2017) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal funds, in the amount of \$130,100.00, from the Edward J. Byrne Memorial Justice Assistance Grant (JAG) – Drug Nuisance Abatement Unit (DNAU) Fiscal Year 2016 application, to be used towards funding one (1) Full-Time Equivalent (FTE) Special Investigator and one (1) Full-Time Equivalent (FTE) Legal Clerk I to investigate and process Drug Nuisance Abatement cases in our community, purchase office supplies, two (2) computers, two (2) desks, two (2) chairs, and two (2) licenses for the Justware Software program. The grant period will commence immediately after the current contract expires (currently set to expire on March 31, 2018) for a minimum period of one year.

7. [C 2017-142](#) Communication (06/02/2017) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds in the amount of \$156,285.00, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the Sex Assault Prosecution Unit, for the period of January 1, 2017 through December 31, 2017, to create a Sex Assault Prosecution Unit, which will consist of a 0.90 Full Time Equivalent (FTE) Special Prosecuting Attorney, a 1.00 FTE Legal Clerk, fringe benefits, and an increase in the contract with the YWCA Sexual Assault Treatment Program.

G. LEGAL DOCUMENTS:

1. [C 2017-143](#) Communication (05/11/2017) from the Life's Choices Kaua'i Coordinator, recommending Council approval of a Water System Use Agreement between Grove Farm Company, Inc., and the County of Kaua'i, for the Adolescent Treatment and Healing Center.
 - Water System Use Agreement

2. [C 2017-144](#) Communication (05/17/2017) from the Acting County Engineer, recommending Council approval of a Right-of-Entry Agreement between the County of Kaua'i and PRW Princeville Development Company, LLC, to allow the County of Kaua'i to access lands owned by PRW Princeville Development Company, LLC, for staging equipment and separating various refuse items at the Hanalei Refuse Transfer Station and continue daily operations in servicing the public.
 - Right-of-Entry Agreement

3. [C 2017-145](#) Communication (05/26/2017) from the County Attorney, recommending Council approval of an Adopt-A-Park Agreement for stewardship of a portion of Lucy Wright Park, Tax Map Key (TMK) (4) 1-6-006:003, to allow the nonprofit corporation Kumano I Ke Ala, via its Director and Po'o, Kaina Makua, to continue to provide educational and recreational activities to the west side community through the Kilohana Canoe Club.
 - Adopt-A-Park Agreement

H. CLAIM:

1. [C 2017-146](#) Communication (06/01/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by N.F. Kawakami Store, for property damage, pursuant to Section 23.06, Charter of the County of Kaua'i.

I. COMMITTEE REPORTS:1. PUBLIC WORKS / PARKS & RECREATION COMMITTEE:

- a. **CR-PWPR 2017-14:** on PWPR 2017-12 Communication (05/01/2017) from the Acting County Engineer, requesting agenda time to have Cascadia Consulting Group provide a briefing on the Waste Characterization Study. **[Received for the Record.]**
- b. **CR-PWPR 2017-15:** on PWPR 2017-13 Communication (05/17/2017) from Council Chair Rapozo, requesting the presence of the Director of Parks & Recreation and the County Attorney, to provide a briefing on the Habitat Conservation Plan for the County of Kaua'i. **[Received for the Record.]**

2. COMMUNITY ASSISTANCE & VETERANS SERVICES COMMITTEE:

- a. **CR-CAVS 2017-01:** on CAVS 2017-01 Communication (05/31/2017) from Council Chair Rapozo, requesting the presence of the Director of Finance and the Housing Director, to provide a briefing on the County's Long-Term Affordable Rental Program as it relates to the 2018 Long-Term Affordable Rental Program rental rates and the Housing and Urban Development (HUD) Program Rental Rates. **[Received for the Record.]**

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. 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 at 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. 2650](#) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 11 BETWEEN JULY 1, 2017 AND JUNE 30, 2019
2. [Bill No. 2651](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND (*Hanalei Coastal Property, Tax Map Key No: (4) 5-8-012:002*)
3. [Bill No. 2652](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-813, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND – CIP (*Hanalei Coastal Property, Tax Map Key No: (4) 5-8-012:002*)
4. [Bill No. 2653](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND (*Kekaha Coastal Property, Tax Map Key No: (4) 1-2-013:041*)
5. [Bill No. 2654](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-813, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND – CIP (*Kekaha Coastal Property, Tax Map Key No: (4) 1-2-013:041*)

- 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, 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.