

COUNCIL MEETING NOTICE AND AGENDA
WEDNESDAY, JUNE 27, 2018
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. June 6, 2018 Special Council Meeting
2. June 13, 2018 Council Meeting

E. CONSENT CALENDAR:

1. [C 2018-140](#) Communication (05/31/2018) from the Mayor, transmitting for Council consideration and confirmation, the appointment of Kenneth N. Rainforth to the Salary Commission – Term ending 12/31/2020. (*See Resolution No. 2018-24*)

2. [C 2018-141](#) Communication (06/06/2018) from the Director of Finance, transmitting for Council information, the Period 8 Financial Reports – [Statement of Revenues](#), [Statement of Expenditures and Encumbrances](#), [Revenue Report](#), and [Detail Budget Report](#) as of February 28, 2018, pursuant to Section 21 of Ordinance No. B-2017-821, relating to the Operating Budget of the County of Kaua‘i for Fiscal Year 2017-2018. (*Copies of Period 8 Financial Reports as of February 28, 2018 on file in the Office of the County Clerk.*)

F. COMMUNICATIONS:

1. [C 2018-133](#) Communication (05/23/2018) from the First Deputy County Attorney, requesting authorization to expend additional funds up to \$250,000.00 from the Claims and Judgments account to satisfy County of Kaua'i's self-insured retention limit concerning the litigation of Mark N. Begley vs. County of Kaua'i, et al., Civil No. CV16-00350, and related matters. *(Deferred June 13, 2018)*

2. [C 2018-142](#) Communication (02/12/2018) from the Chief of Police, requesting Council approval to apply for, accept, and expend Federal funds in the amount of \$503,103.00, from the recurring National Highway Traffic Safety Administration (NHTSA) grant to be used towards the following traffic related functions: data traffic records, distracted driver, occupant protection, road blocks, speed-related deterrence, youth deterrence, traffic services, purchase of equipment, supplies, training, travel expenses, media expenses, et cetera.

3. [C 2018-143](#) Communication (06/06/2018) from the Executive on Transportation, requesting Council approval to amend the amount authorized to receive and expend, and to indemnify the Federal Transit Administration (FTA), for the Federal Fiscal Year 2012 Federal Transit Administration Section 5309 Annual Apportionment provided to the County of Kaua'i to support public transit capital expenses, as the initial request of \$1,240,000.00 was approved by the Council through C 2012-112, after which the Transportation Agency was notified that an additional \$287,591.00 was made available as part of the same allocation, resulting in a total grant award of \$1,527,591.00.

4. [C 2018-144](#) Communication (06/07/2018) from Tyler Kimura, Partner, Spire Hawai'i LLP, transmitting for Council information and discussion, the Follow-Up Audit Of County Hiring Practices.

G. CLAIMS:

1. [C 2018-145](#) Communication (06/04/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Mark Tripoli, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.
2. [C 2018-146](#) Communication (06/07/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Tina Miyoshi, for damages to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.
3. [C 2018-147](#) Communication (06/12/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by EAN Holdings, for damage to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

H. RESOLUTION:

1. [Resolution No. 2018-24](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE SALARY COMMISSION (*Kenneth N. Rainforth*)

I. 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-951 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 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 on the litigation of Mark N. Begley vs. County of Kaua'i, et al., Civil No. CV16-00350, 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. (***Deferred June 13, 2018***)

J. ADJOURNMENT.

- K. 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. [Resolution No. 2018-23](#) – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO AFFORDABLE HOUSING

2. [Bill No. 2712](#) – A BILL FOR AN ORDINANCE TO AMEND SECTION 5A-9.1 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX

- 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, LĪHU‘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.**