

COUNCIL MEETING NOTICE AND AGENDA
WEDNESDAY, JULY 6, 2016
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. June 1, 2016 Council Meeting
2. June 8, 2016 Public Hearing re: Bill No. 2632

E. INTERVIEW:

1. BOARD OF WATER SUPPLY:

- [Beth A. Tokioka](#) – Term ending 12/31/2018

F. CONSENT CALENDAR:

1. [C 2016-148](#) Communication (06/22/2016) from the Director of Finance, transmitting for Council information, the Period 11 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of May 31, 2016, pursuant to Section 21 of Ordinance No. B-2015-796, relating to the Operating Budget of the County of Kaua'i for the Fiscal Year 2015-2016. *(Copies of the Period 11 Financial Reports as of May 31, 2016 on file in the County Clerk's Office.)*

G. COMMUNICATIONS:

1. [C 2016-149](#) Communication (06/02/2016) from the Executive on Aging, requesting Council approval to receive, expend State funds, and indemnify the State Executive Office on Aging for the award of Kupuna Care funds in the amount of \$754,679.00 to the County of Kaua'i, Agency on Elderly Affairs, which will be used for the provision of the following Kupuna Care services:
 - Adult Day Care – \$70,000
 - Case Management – \$75,000
 - Home Delivered Meals – \$261,248
 - Transportation – \$135,000
 - Homemaker – \$70,000
 - Personal Care – \$70,000
 - Elder Abuse – \$22,610
 - Kupuna Care Admin. Cost – \$50,821

2. [C 2016-150](#) Communication (06/06/2016) from the Fire Chief, requesting Council approval to accept a donation valued at \$3,200 from the State of Hawai'i, Department of Health, for the expansion of the Kaua'i Fire Department's Home Safety Assessment for Fall Prevention Program, to assist in continuing to conduct in-home visits and the installation of prevention devices for the county's most vulnerable seniors.

3. [C 2016-151](#) Communication (06/07/2016) from the Chief of Police, requesting Council approval to accept and utilize a vehicle acquired through the Asset Forfeiture Program, which will replace a previously disposed of vehicle, a gray Honda Odyssey Van, Vehicle Identification Number (VIN) #2HKRL1856YH562133, which was assigned to the Vice Section and used for law enforcement purposes.

4. [C 2016-152](#) Communication (06/23/2016) from the Prosecuting Attorney, requesting Council approval to apply for, 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 2015 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, and two (2) licenses for the Justware Software program. The grant period will commence on January 1, 2017 and runs through December 31, 2017.

H. CLAIMS:

1. [C 2016-153](#) Communication (06/06/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by State Farm Insurance, as subrogee of Craig Haruki, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.
2. [C 2016-154](#) Communication (06/13/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Tyra-lynn Constantino, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.
3. [C 2016-155](#) Communication (06/16/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Jody and Erika Valente, for damages to their vehicle and reimbursement of car rental fees, pursuant to Section 23.06, Charter of the County of Kaua'i.

I. COMMITTEE REPORTS:1. BUDGET & FINANCE COMMITTEE:

- a. **CR-BF 2016-20:** on Bill No. 2633 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, SECTION 5A-11A.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE BENEFICIAL TAX RATE FOR PROPERTY USED FOR LONG-TERM AFFORDABLE RENTAL [Approved as Amended.]

2. COMMITTEE OF THE WHOLE:

- a. **CR-COW 2016-07:** on COW 2016-02 Communication (06/16/2016) from Council Chair Rapozo, requesting the presence of the Acting County Engineer, to provide a briefing on the Notice of Violation and Order (NOVO) from the State of Hawai'i Department of Health, Clean Water Branch for National Pollutant Discharge Elimination System (NPDES) Permit related violations and penalties at four (4) refuse transfer stations. [Received for the Record.]

J. BILLS FOR SECOND READING:

1. [Bill No. 2627, Draft 1](#) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 10, KAUAI COUNTY CODE 1987, AS AMENDED, BY ADDING A NEW ARTICLE 5B, RELATING TO THE LIHU'E PLANNING DISTRICT (*County of Kaua'i, Applicant*) (**Deferred June 1, 2016**)

2. [Bill No. 2633, Draft 1](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, SECTION 5A-11A.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE BENEFICIAL TAX RATE FOR PROPERTY USED FOR LONG-TERM AFFORDABLE RENTAL (*See also CR-BF 2016-20; the Budget & Finance Committee recommended approval as amended to Bill No. 2633, Draft 1 on June 29, 2016.*)

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 in the County Attorney's Office and/or the County Clerk's Office. Discussions held in Executive Session are closed to the public.*)

L. ADJOURNMENT.

M. 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 County Clerk's Office 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. 2016-48, Draft 1](#) – RESOLUTION PROPOSING A CHARTER AMENDMENT TO ESTABLISH A COUNTY ROADS RESURFACING / RECONSTRUCTION BACKLOG FUND

N. 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.