

**COUNCIL MEETING NOTICE AND AGENDA**  
**WEDNESDAY, JULY 31, 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. CONSENT CALENDAR:

1. [C 2019-170](#)      Communication (06/21/2019) from the Director of Finance, transmitting for Council information, the Period 9 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of March 31, 2019, pursuant to Section 21 of Ordinance No. B-2018-841, relating to the Operating Budget of the County of Kaua‘i for Fiscal Year 2018-2019. *(Copies of Period 9 Financial Reports as of March 31, 2019 on file in the Office of the County Clerk.)*
  
2. [C 2019-171](#)      Communication (07/08/2019) from the Deputy County Engineer, transmitting for Council consideration, a Resolution Establishing A New Maximum Speed Limit Of Twenty Miles Per Hour And Placement Of Speed Humps Along Kaumakani Road, Waimea District, County of Kaua‘i. ***(See Resolution No. 2019-48)***
  
3. [C 2019-172](#)      Communication (07/15/2019) from the Director of Finance, transmitting for Council information, the Period 10 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of April 30, 2019, pursuant to Section 21 of Ordinance No. B-2018-841, relating to the Operating Budget of the County of Kaua‘i for Fiscal Year 2018-2019. *(Copies of Period 10 Financial Reports as of April 30, 2019 on file in the Office of the County Clerk.)*

E. COMMUNICATIONS:

1. [C 2019-173](#) Communication (07/02/2018) from the Executive on Aging, requesting Council approval to receive and expend a total of \$774,836.00 in State General Funds for Fiscal Year 2020, and to indemnify the State Executive Office on Aging; funds will be used as follows:
  - Kupuna Care: provision of services for older adults, ages 60 and older to address long-term services and support needs;
  - Elder Abuse: provision of services to support vulnerable older adults;
  - Kupuna Caregiver: provision of services to support eligible, working caregivers; and
  - Aging and Disability Resource Center (ADRC): to support the County ADRC operational model.
  
2. [C 2019-174](#) Communication (07/09/2019) from the Executive on Aging, requesting Council approval to receive and expend an increase of \$7,500.00 in the Fiscal Year 2019 baseline grant funding awarded by the Corporation for National and Community Service to the County of Kaua'i, Agency on Elderly Affairs, Kaua'i Retired and Senior Volunteer Program (RSVP), to support efforts to recruit, retain, and place RSVP volunteers.
  
3. [C 2019-175](#) Communication (07/11/2019) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds, in the amount of \$149,936.00, from the Fiscal Year (FY) 2018 Edward J. Byrne Memorial Justice Assistance Grant (JAG) – Specialty Juvenile Sex Assault Prosecuting Unit, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the Specialty Juvenile Sex Assault Prosecution Unit, for the period of January 1, 2020 through December 1, 2020 (subject to change due to the availability of funds), to cover the cost of a 1.0 Full-Time Equivalent (FTE) Deputy Prosecuting Attorney, fringe benefits, computer, software, desk, and chair.
  
4. [C 2019-176](#) Communication (07/11/2019) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds, in the amount of \$154,161.00, from the Fiscal Year (FY) 2018 Edward J. Byrne Memorial Justice Assistance Grant (JAG) – Opioid and Related Narcotic Prosecuting Unit, and approval to indemnify the State of Hawai'i, Department of the Attorney General, for the Opioid and Related Narcotic Prosecution Unit, for the period of January 1, 2020 through December 1, 2020 (subject to change due to the availability of funds), to cover the cost of a 1.0 Full-Time Equivalent (FTE) Deputy Prosecuting Attorney, fringe benefits, training, computer, software, desk, and chair.

5. [C 2019-177](#) Communication (07/15/2019) from Ka'āina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to amend Chapter 10, Article 6, Kaua'i County Code 1987, as amended, Relating to the South Kaua'i Community Plan. *(Copies of the Draft Ordinance for Zoning Amendment (ZA-2019-9) and Director's Report, on file in the Office of the County Clerk.) (See Proposed Draft Bill (No. 2757))*
  
6. [C 2019-178](#) Communication (07/19/2019) from the Deputy Fire Chief, requesting Council approval, to accept a donation from the Kaua'i Lifeguard Association (KLA), of four (4) Motorola APX6000 Radios, valued at \$19,999.91, which will help to increase optimal radio communication for emergency response.

#### F. CLAIM:

1. [C 2019-179](#) Communication (07/11/2019) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Marshal Aviguetero, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

#### G. COMMITTEE REPORTS:

##### 1. PUBLIC WORKS & VETERANS SERVICES COMMITTEE:

- a. **CR-PWVS 2019-05:** PWVS 2019-03 Communication (07/09/2019) from Committee Chair Kagawa, requesting the presence of the Deputy County Engineer, to provide a briefing on potential efforts that can be undertaken to prevent the need for costly debris removal from rivers and other waterways following inclement weather. **[Received for the Record.]**

##### 2. PLANNING COMMITTEE:

- a. **CR-PL 2019-08:** on Bill No. 2693 A BILL FOR AN ORDINANCE AMENDING SUBSECTION 8-15.1(d), KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ADDITIONAL DWELLING UNIT ON OTHER THAN RESIDENTIALLY ZONED LOTS **[Referred to the July 31, 2019 Council Meeting.]**

H. RESOLUTIONS:

1. [Resolution No. 2019-46](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND COMMISSION (*Taryn A. M. Dizon – Waimea / Kekaha*) (**Deferred July 17, 2019**)

2. [Resolution No. 2019-48](#) – RESOLUTION ESTABLISHING A NEW MAXIMUM SPEED LIMIT OF TWENTY MILES PER HOUR AND PLACEMENT OF SPEED HUMPS ALONG KAUMAKANI ROAD, WAIMEA DISTRICT, COUNTY OF KAUAI

I. BILL FOR FIRST READING:

1. [Proposed Draft Bill \(No. 2757\)](#) – A BILL FOR AN ORDINANCE AMENDING ZONING MAPS AND DESIGNATIONS IN THE SOUTH KAUAI COMMUNITY PLAN (*County of Kauai Planning Department, Applicant*)

J. BILLS FOR SECOND READING:

1. [Bill No. 2612, Draft 1](#) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 14, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE PLUMBING CODE (**Deferred July 17, 2019**)

2. [Bill No. 2693](#) – A BILL FOR AN ORDINANCE AMENDING SUBSECTION 8-15.1(d), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ADDITIONAL DWELLING UNIT ON OTHER THAN RESIDENTIALLY ZONED LOTS (*See also CR-PL 2019-08; the Planning Committee on July 24, 2019, referred Bill No. 2693 to the July 31, 2019 Council Meeting.*)

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-997 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(2), and (4), the purpose of this Executive Session is to consider matters that require confidentiality under state law, to wit, the hiring of a County Auditor, including interviewing any candidates, and terms and conditions of employment. The further purpose of this Executive Session is to meet with the Council's legal counsel on questions and issues relating to the Council's powers, duties, privileges, immunities, and liabilities as it relates to this agenda item.

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 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. 2754](#) – A BILL FOR AN ORDINANCE AMENDING SECTION 8-1.5, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO GUEST HOUSE  
(*Guest House — Planning Commission Recommendation*)

- N. NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

\*TO VIEW MEETINGS OR MEETING ARCHIVES, PLEASE VISIT: [WWW.KAUAI.GOV/WEBCASTMEETINGS](http://WWW.KAUAI.GOV/WEBCASTMEETINGS).