

COUNCIL MEETING NOTICE AND AGENDA

WEDNESDAY, JULY 11, 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. May 30, 2018 Council Meeting
2. June 27, 2018 Council Meeting
3. June 27, 2018 Public Hearing re: Resolution No. 2018-23 and Bill No. 2712

E. CONSENT CALENDAR:

1. [C 2018-148](#) Communication (06/18/2018) 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 Detail Budget Report as of March 31, 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 9 Financial Reports as of the March 31, 2018 on file in the Office of the County Clerk.)*

F. COMMUNICATIONS:

1. [C 2018-149](#) Communication (06/12/2018) from Councilmember Yukimura, transmitting for Council consideration, a Proposed Draft Supplemental Money Bill to amend Ordinance No. B-2018-841, as amended, relating to the Operating Budget of the County of Kaua‘i, State of Hawai‘i, for the Fiscal Year July 1, 2018 through June 30, 2019, by revising the amounts estimated in the G.E. Tax Fund, for increased weekend bus service starting January 2019. *(See Proposed Draft Bill (No. 2714))*

2. [C 2018-150](#) Communication (06/14/2018) from the Acting County Engineer, transmitting for Council consideration, a proposed amendment to Ordinance No. B-2018-842, as amended, relating to the Capital Budget of the County of Kauaʻi, for the Fiscal Year July 1, 2018 through June 30, 2019, by revising the amounts estimated in the Bond Fund and the Highway Fund – CIP, to fund the Salt Pond Wastewater Improvements and Hanapēpē Moi Road Pedestrian Safety Improvement projects to meet construction cost increases as a result of the higher than anticipated bid pricing received. **(See Proposed Draft Bill (No. 2715))**

3. [C 2018-151](#) Communication (06/27/2018) from Councilmember Yukimura, transmitting for Council consideration, a Proposed Draft Bill to amend Section 5A-6.4(c) and Section 5A-11A.1 of the Kauaʻi County Code 1987, as amended, relating to Real Property Tax, to allow for owners (landlords) who participate in the County's Long-Term Affordable Rental Program to qualify for the Homestead tax classification and tax rate if their tenant is operating a day care center as a licensed day care provider. **(See Proposed Draft Bill (No. 2716))**

G. CLAIMS:

1. [C 2018-152](#) Communication (06/21/2018) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Deborah O. Johnson and Michael D. Johnson, for damage to their property, pursuant to Section 23.06, Charter of the County of Kauaʻi.

2. [C 2018-153](#) Communication (06/25/2018) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Carlos Canales, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kauaʻi.

3. [C 2018-154](#) Communication (06/26/2018) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Ramiro Ortiz, for damages to his vehicle, pursuant to Section 23.06, Charter of the County of Kauaʻi.

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

- a. **CR-PWPR 2018-07:** on PWPR 2018-06 Communication (06/26/2018) from Committee Chair Kagawa, requesting the presence of the Director of Parks & Recreation and the Acting County Engineer, to provide a briefing on the status of repairs to Black Pot Beach Park and the roads leading up to Black Pot Beach Park. **[Received for the Record.]**
- b. **CR-PWPR 2018-08:** on Bill No. 2613 A BILL FOR AN ORDINANCE TO AMEND CHAPTER 13 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE ELECTRICAL CODE **[Received for the Record.]**

2. BUDGET & FINANCE COMMITTEE:

- a. **CR-BF 2018-28:** on 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 **[Approved.]**

I. RESOLUTION:

1. [Resolution No. 2018-23](#) – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO AFFORDABLE HOUSING (*Public hearing held on June 27, 2018*)

J. BILLS FOR FIRST READING:

1. [Proposed Draft Bill \(No. 2714\)](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-841, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE G.E. TAX FUND (*Increased Weekend Bus Service - \$475,000.00*)

2. [Proposed Draft Bill \(No. 2715\)](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2018-842, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND HIGHWAY FUND-CIP (*Salt Pond Wastewater Improvements and Hanapēpē Moi Road Pedestrian Safety Improvement Projects - \$765,000.00*)

3. [Proposed Draft Bill \(No. 2716\)](#) – A BILL FOR AN ORDINANCE TO AMEND SECTION 5A-6.4(C) AND SECTION 5A-11A.1 OF THE KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Licensed Day Care Provider Homestead Tax Classification*)

K. BILLS FOR SECOND READING:

1. [Bill No. 2613](#) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 13 OF THE KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO THE ELECTRICAL CODE (*See also CR-PWPR 2018-06; the Public Works / Parks & Recreation Committee recommended Bill No. 2613 be received for the record.*)

2. [Bill No. 2712](#) – A BILL FOR AN ORDINANCE TO AMEND SECTION 5A-9.1 OF THE KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*See also CR-BF 2018-28; the Budget & Finance Committee recommended approval on second and final reading.*)

L. 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.)*

M. ADJOURNMENT.

- N. 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. 2687](#) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, SECTION 8-2.1(A) AND SECTION 8-4.2(A), AND CHAPTER 10, SECTION 10-5A.7(A), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COMPREHENSIVE ZONING ORDINANCE AND LĪHU‘E TOWN CORE URBAN DESIGN DISTRICT

- O. 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.**