

COUNCIL MEETING NOTICE AND AGENDA
WEDNESDAY, JULY 25, 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. INTERVIEW:

1. SALARY COMMISSION:

- [Trinette P. Kauai – Term ending 12/31/2020](#)

E. CONSENT CALENDAR:

1. [C 2018-155](#) Communication (07/02/2018) 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 Detail Budget Report as of April 30, 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 10 Financial Reports as of April 30, 2018 on file in the Office of the County Clerk.*)

2. [C 2018-156](#) Communication (07/03/2018) from the First Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua‘i from April 1, 2018 through June 30, 2018.

3. [C 2018-157](#) Communication (07/09/2018) from the Director of Finance, transmitting for Council information, the Period 11 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detail Budget Report as of May 31, 2018, pursuant to Section 21 of Ordinance No. B-2017-821, relating to the Operating Budget of the County of Kauaʻi for Fiscal Year 2017-2018. *(Copies of Period 11 Financial Reports as of May 31, 2018 on file in the Office of the County Clerk.)*

4. [C 2018-158](#) Communication (07/09/2018) from the Director of Finance, transmitting for Council information, the Fourth Quarter Statement of Equipment Purchases for Fiscal Year 2017-2018, pursuant to Section 17 of Ordinance No. B-2017-821, the Operating Budget of the County of Kauaʻi for Fiscal Year 2017-2018.

F. COMMUNICATIONS:

1. [C 2018-159](#) Communication (07/03/2018) from the Executive on Aging, requesting Council approval to receive and expend funds in the amount of \$25,000.00 from the Long-Term Care Ombudsman Program (State funds) for the period of June 30, 2018 to June 30, 2019 and to indemnify the State Executive Office on Aging. The funding will provide for a Long-Term Care Ombudsman position whose primary role will be to visit and advocate for individuals who are residing in long-term care facilities on Kauaʻi.

2. [C 2018-160](#) Communication (07/03/2018) from the Executive on Aging, requesting Council approval to receive and expend a total of \$852,058.00 in State General Funds for Fiscal Year 2019, and to indemnify the State Executive Office on Aging, funds will be used for the provision of Kupuna Care and Elder Abuse Services, which includes adult day care, case management, home delivered meals, transportation, homemaker services, personal care, elder abuse, and kupuna care administrative costs.

3. [C 2018-161](#) Communication (07/10/2018) from the Executive on Aging, requesting Council approval to receive and expend \$62,815.00 in State General Funds for Fiscal Year 2019, and to indemnify the State Executive Office on Aging, for the Kupuna Caregivers Program, which assists qualified caregivers in obtaining care for older adults while remaining in the workforce.

G. LEGAL DOCUMENT:

1. [C 2018-162](#) Communication (07/11/2018) from the Acting County Engineer, recommending Council approval of a Right-of-Entry Permit between the County of Kaua'i and the State of Hawai'i, Department of Land and Natural Resources (DLNR), to allow for an efficient and unified approach to the restoration of Black Pot Beach Park, Hanalei Wharf Approach, and adjacent shoreline area from the damages of the April 2018 heavy rains and flooding (Tax Map Key (TMK): (4) 5-5-001:008 (State Parcel 8), (4) 5-5-001:004 and 011 (County Parcels 4 and 11)).
 - Right-of-Entry Permit (by letter dated June 26, 2018, addressed to Mayor Bernard P. Carvalho, Jr., signed by Suzanne D. Case, Chairperson, Board of Land and Natural Resources Commission on Water Resource Management)

H. CLAIM:

1. [C 2018-163](#) Communication (07/09/2018) from the Council Clerk, transmitting a claim filed against the County of Kaua'i by Roger A. Ridgley, Jr., for damages to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

I. COMMITTEE REPORTS:1. PLANNING COMMITTEE:

- a. **CR-PL 2018-06:** on PL 2018-03 Communication (07/11/2018) from Council Chair Rapozo, requesting the presence of the Planning Director and the County Attorney, to provide a briefing on the Kaua'i Planning Commission's vote to reverse the hearings officer's Findings of Fact, Conclusions of Law and Decision and Order and deny Kaua'i Springs' application for a Use Permit, Zoning Permit, and Special Permit to continue operating a spring water bottling facility. **[Received for the Record.]**

b. CR-PL 2018-07: on 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 LIHU'E TOWN CORE URBAN DESIGN DISTRICT
[Approved.]

J. BILL FOR SECOND READING:

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 LIHU'E TOWN CORE URBAN DESIGN DISTRICT (*See also CR-PL 2018-07; the Planning Committee recommended approval on second and final reading.*)

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-953 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kauai County Charter Section 3.07(E), on behalf of the Council, the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing, discussion, and consultation regarding the Quarterly Report on Pending and Denied Claims. 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.

L. ADJOURNMENT.

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, LĪHUʻE, KAUAʻI, HAWAIʻI 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

*TO VIEW MEETINGS OR MEETING ARCHIVES, PLEASE VISIT: WWW.KAUAI.GOV/WEBCASTMEETINGS.