

COUNCIL MEETING NOTICE AND AGENDA
WEDNESDAY, OCTOBER 4, 2017
8:30 A.M. OR SOON THEREAFTER
KAUA'I WAR MEMORIAL CONVENTION HALL
4191 HARDY STREET
LIHU'E, KAUA'I, HAWAI'I 96766

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. COMMUNICATIONS:

1. [C 2017-224](#) Communication (09/13/2017) from the Chief of Police, requesting Council approval to accept a donation valued at \$8,700.00 from the Friends of the Missing Child Center-Hawai'i, a nonprofit organization based in Honolulu, of a scent tracking canine (inclusive of transportation and training), to assist Kaua'i Police Department (KPD) Investigators with missing persons cases, child abduction cases, wanted fugitive apprehension, and missing suicidal persons or missing Alzheimer's persons cases.

2. [C 2017-225](#) Communication (09/15/2017) from the Director of Parks & Recreation, requesting Council approval to accept a donation of five (5) sets of soccer goals valued at \$11,851.00 from the Hawai'i Youth Soccer Association, Hawai'i Soccer Federation, Hawai'i Rush Soccer Association, and Kaua'i Soccer Association, to be used at County park facilities for the soccer community.

3. [C 2017-226](#) Communication (09/15/2017) from the Fire Chief, requesting Council approval to dispose of the following government records, pursuant to Hawai'i Revised Statutes (HRS) Section 46-43 and Resolution No. 2008-39 (2008) as amended, which have been kept for over seven (7) years and are no longer of use or value:

- General Correspondence (General letters and memoranda received from internal and external agencies, and departments, and Travel Vouchers) (Prior to 2009)
- Payroll Records (Timesheets, Payroll Registers, Payroll Accruals, Payroll Hours Proof Listing, Payroll Transmittals, and Leave Documents) (Prior to 2009)
- Workers' Compensation (WC) Records (WC claims) (Prior to 2009)

4. [C 2017-227](#) Communication (09/19/2017) from the Director of Finance, transmitting for Council consideration, A Bill For An Ordinance To Amend Ordinance No. B-2017-821, As Amended, Relating To The Operating Budget Of The County Of Kaua'i, State Of Hawai'i, For The Fiscal Year July 1, 2017 Through June 30, 2018, By Revising The Amounts Estimated In The General Fund And Highway Fund, for the purpose of increasing the Transient Accommodations Tax (TAT) revenue by \$1,450,000.00 in the General Fund, and restore funding to the Island Wide Resurfacing appropriation in the Highway Fund by the same amount. ***(See Proposed Draft Bill (No. 2669))***
5. [C 2017-228](#) Communication (09/20/2017) from the Executive on Aging, requesting Council approval to receive and expend \$227,447.00 in State General Funds for Fiscal Year 2018, and to indemnify the State Executive Office on Aging, to be used by the County of Kaua'i, Agency on Elderly Affairs for the provision of Kupuna Care, which includes adult day care, case management, home delivered meals, transportation, homemaker, and personal care.
6. [C 2017-229](#) Communication (09/20/2017) from the Prosecuting Attorney, requesting Council approval to receive and expend State funds, in the amount of \$24,460.00, to be used towards salaries/wages for the Domestic Violence Prosecution Unit, and to indemnify the State of Hawai'i Department of the Attorney General. This is a re-occurring grant and funds will be utilized to continue the program for the term commencing November 1, 2017 to March 31, 2018.

E. LEGAL DOCUMENT:

1. [C 2017-230](#) Communication (09/15/2017) from the Housing Director, recommending Council approval of a Declaration of Covenants and Restrictions between the County of Kaua'i and Rice Hoala Partners, L.P., a Hawai'i Limited Partnership, for Rice Camp Senior Housing Phase II, Tax Map Key (TMK) No. (4) 3-6-004:020, Lihu'e, Kaua'i, Hawai'i.
 - Declaration of Covenants and Restrictions

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

- a. **CR-BF 2017-19:** on Bill No. 2662 A BILL FOR AN ORDINANCE TO AMEND SECTION 2, ORDINANCE NO. 891 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUA'I FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS AND REFUNDING CERTAIN BONDS OF THE COUNTY; FIXING OR AUTHORIZING THE FIXING OF THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE PUBLIC **[Approved.]**

- b. **CR-BF 2017-20:** on Bill No. 2663 A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-821, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER FUND (*Wailua Waste Water Treatment Plant (Operating Budget) - \$500,000.00*) **[Approved.]**

c. **CR-BF 2017-21:** on Bill No. 2664

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-822, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER TRUST FUND-CIP (*Wailua Waste Water Treatment Plant (CIP Budget) - \$500,000.00*) **[Approved.]**

d. **CR-BF 2017-22:** on Bill No. 2665

A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUAI FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS; FIXING OR AUTHORIZING THE FIXING OF THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE PUBLIC; AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES; AND PROVIDING FOR OTHER MATTERS AND ACTIONS PERTAINING TO THE ISSUANCE AND SALE OF THE BONDS **[Approved as Amended.]**

2. COMMITTEE OF THE WHOLE:

a. **CR-COW 2017-09:** on COW 2017-04

Communication (09/20/2017) from Council Vice Chair Kagawa, requesting the presence of the Managing Director, the Director of Finance, the Director of Human Resources, the Chief of Police, and the Fire Chief, to provide a briefing on retirement pension "spiking."
[Received for the Record.]

G. BILL FOR FIRST READING:

1. [Proposed Draft Bill \(No. 2669\)](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-821, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND AND HIGHWAY FUND (*TAT Revenue and Island Wide Resurfacing - \$1,450,000.00*)

H. BILLS FOR SECOND READING:

1. [Bill No. 2662](#) – A BILL FOR AN ORDINANCE TO AMEND SECTION 2, ORDINANCE NO. 891 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUAI FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS AND REFUNDING CERTAIN BONDS OF THE COUNTY; FIXING OR AUTHORIZING THE FIXING OF THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE PUBLIC (*See also CR-BF 2017-19; the Budget & Finance Committee recommended approval on second and final reading.*)

2. [Bill No. 2663](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-821, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER FUND (*Wailua Waste Water Treatment Plant (Operating Budget) - \$500,000.00*) (*See also CR-BF 2017-20; the Budget & Finance Committee recommended approval on second and final reading.*)

3. [Bill No. 2664](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-822, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS ESTIMATED IN THE SEWER TRUST FUND-CIP (*Wailua Waste Water Treatment Plant (CIP Budget) - \$500,000.00*) (*See also CR-BF 2017-21; the Budget & Finance Committee recommended approval on second and final reading.*)

4. [Bill No. 2665, Draft 1](#) – A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUAI FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS; FIXING OR AUTHORIZING THE FIXING OF THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE PUBLIC; AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES; AND PROVIDING FOR OTHER MATTERS AND ACTIONS PERTAINING TO THE ISSUANCE AND SALE OF THE BONDS (*See also CR-BF 2017-22; the Budget & Finance Committee recommended approval as amended to Bill No. 2665, Draft 1 on September 27, 2017.*)

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.)*

J. ADJOURNMENT.

K. PUBLIC HEARING NOTE: Prior to the Council Meeting, the Council will convene a public hearing at approximately 8:30 a.m. After the public hearing, the Council will convene the Council Meeting.

*[*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. 2666](#) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 7, ARTICLE 1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE UPDATE OF THE GENERAL PLAN FOR THE COUNTY OF KAUAI (ZA-2017-3)
2. [Bill No. 2667](#) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 1 BETWEEN JULY 1, 2017 AND JUNE 30, 2021

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

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