

COUNCIL MEETING NOTICE AND AGENDA
WEDNESDAY, OCTOBER 9, 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. MINUTES of the following meetings of the Council:

1. August 28, 2019 Council Meeting
2. September 11, 2019 Council Meeting

E. CONSENT CALENDAR:

1. [C 2019-218](#) Communication (09/23/2019) from the Hawai‘i State Association of Counties (HSAC) President, transmitting for Council consideration, the nomination of Mason K. Chock, Kaua‘i County Council, to the Western Interstate Region (WIR) Board for Fiscal Year 2019-2020, pursuant to the Bylaws of the Hawai‘i State Association of Counties, Inc. (*See Resolution No. 2019-51*)

F. COMMUNICATIONS:

1. [C 2019-219](#) Communication (09/11/2019) from the Executive on Transportation, requesting Council approval to purchase unbudgeted equipment of four (4) wheelchair lift-equipped passenger buses at a cost of \$640,000.00 (80% Federal Transportation Administration (FTA) grant / 20% County matching funds), utilizing an FTA Grant allocation that was not available during the Fiscal Year 2019-2020 budget process.

2. [C 2019-220](#) Communication (09/11/2019) from the Director of Parks & Recreation, requesting Council approval to reprioritize unexpended funds in the Fiscal Year 2019-2020 Operating Budget Account No. 503-3051-661.89-05 (Leased) of \$50,800.00, for the purchase of an unbudgeted tractor via lease financing, to replace the Department's 2008 Massey-Ferguson Model 1560 Tractor.
3. [C 2019-221](#) Communication (09/12/2019) from Roy Asher, Assistant Chief of Police, Administrative & Technical Bureau, requesting Council approval to accept and expend Federal funds, in the amount of \$8,255.00, from the United States Department of Justice, Bureau of Justice Assistance, Bulletproof Vest Partnership Grant funding program, for replacement of bulletproof vests to ensure officer safety. The grant program has a local match of fifty percent (50%) from the Kaua'i Police Department (Account No. 001-1003-551-65-00, Collective Bargaining) for the acquisition of the bulletproof (protective) vests and related accessories to be utilized by the officers of the Kaua'i Police Department.
4. [C 2019-222](#) Communication (09/12/2019) from Mark Begley, Assistant Chief of Police, Patrol Services Bureau, requesting Council approval to apply for, receive, and expend Federal funds, in the amount of \$511,913.00, from the recurring National Highway Traffic Safety Administration (NHTSA) grant to be used towards the following traffic-related functions: data traffic records, distracted driver, occupant protection, road block, speed, youth deterrence, traffic services, purchase of equipment, supplies, training, travel expenses, media expenses, et cetera.
5. [C 2019-223](#) Communication (09/19/2019) from Roy Asher, Assistant Chief of Police, Administrative & Technical Bureau, requesting Council approval to accept and expend State funds, in the amount of \$10,000.00, from the State of Hawai'i, Department of Health, Alcohol and Drug Abuse Division, as reimbursement for the enforcement of Hawai'i Revised Statutes (HRS) Section 709-908 prohibiting tobacco sales to minors via Memorandum of Agreement 2019-PB-002 effective September 3, 2019 through August 30, 2020.
6. [C 2019-224](#) Communication (09/20/2019) from Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to accept on-going Federal fund reimbursements from the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, for the Kaua'i Police Department's roles and responsibilities when working through coordinated efforts with local, State, and Federal law enforcement agencies via a Memorandum of Agreement.

7. [C 2019-225](#) Communication (09/26/2019) from the Deputy Fire Chief, requesting Council approval to accept a donation from the Kaua'i Lifeguard Association (KLA) of two (2) 2020 Honda All-Terrain Vehicles (ATVs), valued at \$16,205.22, which will be utilized by the Ocean Safety Bureau at the Keālia and Pinetrees Towers.

8. [C 2019-226](#) Communication (09/27/2019) from the Housing Director, requesting Council approval to apply for, receive, and expend Federal funds, in the amount of \$144,000.00, and approval to indemnify the United States Department of Housing & Urban Development (HUD), for the continuation of the two (2) Housing Choice Voucher Family Self-Sufficiency (HCVFSS) Program Coordinator's salaries and fringe benefits.

G. COMMITTEE REPORTS:

1. PUBLIC WORKS & VETERANS SERVICES COMMITTEE:

- a. **CR-PWVS 2019-06:** on PWVS 2019-04 Communication (09/26/2019) from the Council Chair Kaneshiro, requesting the presence of the Deputy County Engineer and the Planning Director, to provide a briefing on the Līhu'e Town Core Mobility and Revitalization Project construction on Rice Street, to include the current status of construction, a description of the work that has been completed, and the future plans for the Project. **[Received for the Record.]**

2. PLANNING COMMITTEE:

- a. **CR-PL 2019-11:** on PL 2019-03 Communication (09/25/2019) from Council Chair Kaneshiro, requesting the presence of the Planning Director, to provide a briefing on the West Kaua'i Community Plan. **[Received for the Record.]**

3. COMMITTEE OF THE WHOLE:

- a. **CR-COW 2019-16:** on COW 2019-02 Communication (09/25/2019) from Council Chair Kaneshiro, requesting the presence of the Managing Director, to provide a briefing on the acquisition of land in Waimea from Kikiaola Land Company, Ltd. and how the County is planning to utilize this parcel of land. **[Received for the Record.]**

H. RESOLUTION:

1. Resolution No. 2019-51 – RESOLUTION APPROVING THE NOMINATION OF COUNCILMEMBER MASON K. CHOCK, COUNTY OF KAUAI, TO SERVE ON THE WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR FISCAL YEAR 2019-2020

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.)*

1. ES-1007 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(2) and (4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney, on behalf of the County Council, requests an Executive Session to discuss the evaluation and setting of salary for the County Clerk. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and liabilities of the Council and the County as they relate to this agenda item. Furthermore, this agenda item pertains to matters affecting privacy; provided that if the individual concerned requests an open meeting, an open meeting shall be held.

J. ADJOURNMENT.

K. 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. 2758 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 17A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO COUNTY BUS FARES, AND ADDING A NEW CHAPTER, RELATING TO COUNTY BUS AND PARATRANSIT CODE OF CONDUCT

L. 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.