

# COUNCIL MEETING NOTICE AND AGENDA

WEDNESDAY, DECEMBER 6, 2017

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. October 18, 2017 Public Hearing re: Bill No. 2668
2. November 1, 2017 Council Meeting
3. November 15, 2017 Council Meeting
4. November 15, 2017 Public Hearing re: Bill No. 2670 and Bill No. 2672

## E. COMMUNICATIONS:

1. [C 2017-263](#) Communication (10/23/2017) from the Acting County Engineer, 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:
  - Various Contracts (Solid Waste and Recycling Contract files, including solicitations, contracts, correspondences, reports, and payment records) (Prior to 2009)
  - Abandoned / Derelict Vehicles (Information on registered owners, towing data, vehicle license number and Vehicle Identification Number (VIN), photos, correspondences, and payment) (Prior to 2009)
  - Landfill Billing (Weighmaster landfill cash receipts, cash posting lists, and customer billing) (Prior to 2009)
  - Equipment Purchases (Solicitations, contracts, correspondences, and payment) (Prior to 2009)  
*(Deferred November 15, 2017)*

2. [C 2017-271](#) Communication (11/13/2017) from the Mayor, transmitting for Council consideration, the cost items for the State of Hawai'i Organization of Police Officers (SHOPO) Bargaining Unit 12 for the period July 1, 2017 through June 30, 2021 based on an arbitrated award and in accordance with the procedures contained in Chapter 89, Hawai'i Revised Statutes (HRS), pursuant to Section 89-11 of the HRS and Section 19.13B of the Kaua'i County Charter. (*Arbitration Panel's Award and Decision for Bargaining Unit 12 on file in the Office of the County Clerk.*) (**See Proposed Draft Bill (No. 2676)**)
  
3. [C 2017-272](#) Communication (11/15/2017) from the Salary Commission, transmitting for Council consideration, the Salary Commission's Resolution No. 2017-2, Relating to the Salaries of Certain Officers and Employees of the County of Kaua'i, which was adopted by the Salary Commission at its November 9, 2017 meeting.
  - Salary Commission Resolution No. 2017-2

#### F. COMMITTEE REPORTS:

##### 1. PUBLIC WORKS / PARKS & RECREATION COMMITTEE:

- a. **CR-PWPR 2017-22:** on PWPR 2017-18 Communication (11/13/2017) from Council Chair Rapozo, requesting the presence of the Manager & Chief Engineer for the Department of Water, to provide a briefing on the Department of Water's "Water Plan 2020" and other technical studies, including but not limited to timelines, methodologies, and sustainable yields. [**Received for the Record.**]

##### 2. BUDGET & FINANCE COMMITTEE:

- a. **CR-BF 2017-25:** on Bill No. 2670 A BILL FOR AN ORDINANCE TO ESTABLISH A GENERAL EXCISE AND USE TAX SURCHARGE FOR THE COUNTY OF KAUAI [**Approved.**]

**b. CR-BF 2017-26:** on Bill No. 2672

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 (*Office of the County Attorney–Special Counsel Account - \$150,000.00*) [Received for the Record.]

G. BILL FOR FIRST READING:

1. [Proposed Draft Bill \(No. 2676\)](#) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 12 BETWEEN JULY 1, 2017 AND JUNE 30, 2021

H. BILLS FOR SECOND READING:

1. [Bill No. 2670](#) – A BILL FOR AN ORDINANCE TO ESTABLISH A GENERAL EXCISE AND USE TAX SURCHARGE FOR THE COUNTY OF KAUAI (*See also CR-BF 2017-25; the Budget & Finance Committee recommended approval on second and final reading.*)

2. [Bill No. 2672](#) – 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 (*Office of the County Attorney–Special Counsel Account - \$150,000.00*) (*See also CR-BF 2017-26; the Budget & Finance Committee recommended Bill No. 2672 be received for the record.*)

I. EXECUTIVE SESSION: Pursuant to Hawaii's 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-931 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(4), and Kaua'i 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 and discussion in matters regarding Kaua'i Police Department personnel policies, and implementation and related matters. This briefing and consultation involves the consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.
2. ES-932 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(4), and Kaua'i 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 and discussion regarding the production of documents related to a personnel matter, and related matters. 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.

#### 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 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. 2673](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 16, KAUAI COUNTY CODE 1987, RELATING TO THE TRAFFIC CODE (*Prohibited Parking*)
2. [Bill No. 2674](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 16, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE TRAFFIC CODE (*Vehicle Towing Authorization*)

- 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, LIHU'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](http://WWW.KAUAI.GOV/WEBCASTMEETINGS).**