

**COUNCIL MEETING NOTICE AND AGENDA  
WEDNESDAY, APRIL 22, 2020**

**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. February 19, 2020 Council Meeting
2. March 11, 2020 Council Meeting
3. March 25, 2020 Council Meeting
4. March 25, 2020 Public Hearing re: Bill No. 2755 and Bill No. 2775
5. April 8, 2020 Council Meeting
6. April 8, 2020 Public Hearing re: Bill No. 2777 and Bill No. 2778

E. INTERVIEW:

1. PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES  
PRESERVATION FUND COMMISSION:

- [Jonathan Thomas Lucas](#) – Term ending 12/31/2022

F. CONSENT CALENDAR:

1. [C 2020-110](#) Communication (04/07/2020) from the Director of Finance, transmitting for Council information, the Period 7 Financial Reports – Statement of Revenues, Statement of Expenditures and Encumbrances, Revenue Report, and Detailed Budget Report as of January 31, 2020, pursuant to Section 21 of Ordinance No. B-2019-856, relating to the Operating Budget of the County of Kaua‘i for Fiscal Year 2019-2020. *(Copies of Period 7 Financial Reports as of January 31, 2020 on file in the Office of the County Clerk.)*

2. [C 2020-111](#) Communication (04/02/2020) from Todd Karl Jenson, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from January 1, 2020 through March 31, 2020.

#### G. LEGAL DOCUMENT:

1. [C 2020-112](#) Communication (04/03/2020) from the Housing Director, recommending Council approval of a Ground Lease with Pua Loke Housing Partners LP, a Hawai'i Limited Partnership, for the Pua Loke Affordable Housing Development project, Tax Map Key (TMK) No. (4) 3-8-005-028 & 029, Lihu'e, Kaua'i, Hawai'i.
  - Ground Lease

#### H. COMMITTEE REPORT:

##### 1. PLANNING COMMITTEE:

- a. **CR-PL 2020-03:** on Bill No. 2755 A BILL FOR AN ORDINANCE AMENDING SECTION 8-4.3(a), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DEVELOPMENT STANDARDS FOR RESIDENTIAL STRUCTURES NOT INVOLVING THE SUBDIVISION OF LAND (*Kaua'i County Council, Applicant*) (ZA-2020-5) **[Approved.]**

#### I. BILL FOR SECOND READING:

1. [Bill No. 2755](#) – A BILL FOR AN ORDINANCE AMENDING SECTION 8-4.3(a), KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO DEVELOPMENT STANDARDS FOR RESIDENTIAL STRUCTURES NOT INVOLVING THE SUBDIVISION OF LAND (*Kaua'i County Council, Applicant*) (ZA-2020-5) (*See also CR-PL 2020-03; the Planning Committee recommended approval on second and final reading.*)

**J. 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-1025 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, 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.

#### **K. ADJOURNMENT.**

- L. PUBLIC HEARING NOTE: Pursuant to the Supplementary Emergency Proclamation dated March 16, 2020, issued by Governor David Y. Ige, all meetings of the Council will be closed to the public consistent with social distancing practices. The public hearing will be read into the record and testimony may be submitted in writing to counciltestimony@kauai.gov; via facsimile to (808) 241-6349; or mailed to the Office of the County Clerk, Council Services Division at 4396 Rice Street, Suite 209, Līhu'e, Hawai'i 96766. The Council will convene into a public hearing on the following item(s) on this meeting date and will reconvene the Council Meeting to complete any unfinished business thereafter.

*[\*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. 2781](#) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COMMERCIAL ZONING DISTRICT OF THE COMPREHENSIVE ZONING ORDINANCE TO IMPLEMENT THE 2018 GENERAL PLAN UPDATE (County of Kaua'i Planning Department, Applicant) (ZA-2020-6)
2. [Bill No. 2782](#) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR HGEA BARGAINING UNIT 4 BETWEEN JULY 1, 2019 AND JUNE 30, 2021

M. 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](http://WWW.KAUAI.GOV/WEBCASTMEETINGS).