

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Arryl Kaneshiro
Derek S.K. Kawakami
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

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MEMORANDUM

June 28, 2017

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **JUNE 28, 2017 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its June 28, 2017 Council Meeting:

CONSENT CALENDAR:

C 2017-147 Communication (06/01/2017) from the Director of Finance, transmitting for Council information, the Period 10 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of April 30, 2017, pursuant to Section 21 of Ordinance No. B-2016-812, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2016-2017. ***(Received for the Record.)***

C 2017-148 Communication (06/09/2017) from Councilmember Kaneshiro, providing written disclosure of a possible conflict of interest and recusal regarding C 2017-143, relating to a Water System Use Agreement between Grove Farm Company, Inc., and the County of Kaua'i, for the Adolescent Treatment and Healing Center, as he is a Project Manager employed by Grove Farm Company, Inc. ***(Received for the Record.)***

C 2017-149 Communication (06/21/2017) from Councilmember Yukimura, providing written disclosure of a possible conflict of interest and recusal regarding ES-907, relating to a Notice to Appeal of Sunshine Law Complaint (S Appeal 17-11), as she filed the appeal with the Office of Information Practices, as she is involved in the appeal. ***(Received for the Record.)***

COMMUNICATIONS:

C 2017-150 Communication (05/30/2017) from the Fire Chief, requesting Council approval to accept a donation from the Kaua'i Lifeguard Association (KLA), of one (1) Kawasaki 4x4 Utility Vehicle, valued at \$13,710.82, to be used by the Ocean Safety Bureau for emergency response and training purposes. ***(Approved with thank-you letter to follow.)***

C 2017-151 Communication (06/01/2017) from the Executive on Aging, requesting Council approval to receive and expend State General Funds for Fiscal Year 2018 and to indemnify the State Executive Office on Aging, in the amount of \$530,816.00 to be used by the County of Kaua'i, Agency on Elderly Affairs 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 administrative costs for Kupuna Care. ***(Approved.)***

C 2017-152 Communication (06/01/2017) from the Executive on Aging, requesting Council approval to receive and expend State General Funds for Fiscal Year 2018 and to indemnify the State Executive Office on Aging, in the amount of \$88,863.00 to be used by the County of Kaua'i, Agency on Elderly Affairs for the operating costs of the Aging and Disability Resource Center, which includes consultant services, inter-island travel, travel to conferences, postage, printing resource directory, online training programs, promotional items, replace electronic equipment, and supplies. ***(Approved.)***

C 2017-153 Communication (06/07/2017) from Councilmember Chock, transmitting for Council consideration, proposed amendments to Chapter 5A, Article 11 and 11A, Kaua'i County Code 1987, as amended, relating to Real Property Tax, to clarify the legislative intent when a property is transferred in/out of a trust, as well as provide consistent interpretation as to the meaning of the term "transfer." ***(Received for the Record.)***

C 2017-154 Communication (06/15/2017) from the County Attorney, requesting authorization to expend funds up to \$50,000.00 for Special Counsel services to represent the Council regarding: (1) Actions taken by the Director of Human Resources regarding the pay adjustment request for the County Clerk; and (2) The process involved with filing a complaint against the Administration pertaining to a possible violation of the separation of powers, and related matters. ***(Received for the Record.)***

C 2017-155 Communication (06/16/2017) from Council Chair Rapozo, transmitting for Council consideration, proposed amendments to Chapter 5A, Section 5A-11A.1, Kaua'i County Code 1987, as amended, relating to the Long Term Affordable Rental Program, to adjust the 2018 tax year rental rates to the 2015 tax year rental rates, and to set the 2015 tax year rates as the base program rates going forward, with an annual adjustment using the Consumer Price Index for all Urban Consumers (CPI-U). ***(Received for the Record.)***

CLAIM:

C 2017-156 Communication (06/13/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by State Farm Insurance as subrogee of Mark Clay Ackelson, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. ***(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)***

COMMITTEE REPORTS: APPROVED.

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2658) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, ARTICLE 11 AND 11A, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX ***(Approved on 1st reading, Public Hearing scheduled for July 26, 2017, and referred to the Budget & Finance Committee.)***

Proposed Draft Bill (No. 2659) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, SECTION 5A-11A.1, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO THE BENEFICIAL TAX RATE FOR PROPERTY USED FOR LONG-TERM AFFORDABLE RENTAL ***(Approved on 1st reading, Public Hearing scheduled for July 26, 2017, and referred to the Budget & Finance Committee.)***

BILLS FOR SECOND READING:

Bill No. 2651 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B 2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND ***(Hanalei Coastal Property, Tax Map Key No: (4) 5-8-012:002) (Received for the Record.)***

Bill No. 2652 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-813, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND – CIP (*Hanalei Coastal Property, Tax Map Key No: (4) 5-8-012:002*) **(Received for the Record.)**

Bill No. 2653 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND (*Kekaha Coastal Property, Tax Map Key No: (4) 1-2-013:041*) **(Received for the Record.)**

Bill No. 2654 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-813, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND – CIP (*Kekaha Coastal Property, Tax Map Key No: (4) 1-2-013:041*) **(Received for the Record.)**

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memorandum presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)
KCT CCs (*Via E-mail*)
Council Services Staff (*Via E-mail*)