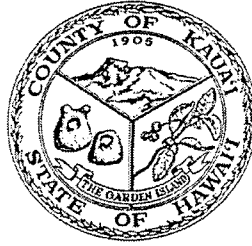


COUNTY COUNCIL
Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Mason K. Chock
Gary L. Hooser
Arryl Kaneshiro
KipuKai Kualii
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

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Council Services Division
4396 Rice Street, Suite 209
Lihue, Kauai, Hawaii 96766

MEMORANDUM

July 21, 2016

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **JULY 20, 2016 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its July 20, 2016 Council Meeting:

CONSENT CALENDAR:

C 2016-156 Communication (06/01/2016) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Beth A. Tokioka to the Board of Water Supply – Term ending 12/31/2018. *(Received for the Record.)*

C 2016-157 Communication (06/22/2016) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of May 10, 2016. *(Received for the Record.)*

C 2016-158 Communication (06/27/2016) from the Acting County Engineer, transmitting for Council consideration, a Resolution Establishing A County Bus Stop Along Kawaihau Road, Kawaihau District, County Of Kauai. *(Received for the Record.)*

C 2016-159 Communication (07/07/2016) from the Acting County Engineer, transmitting for Council consideration, a Resolution Authorizing The Mayor Or The Director Of Finance Of The County Of Kauai To Enter Into An Intergovernmental Agreement With The State Of Hawaii, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Kekaha Landfill Lateral Expansion Cell 2, Project No. NPS0047-12, to secure the funds for the landfill expansion project. *(Received for the Record.)*

C 2016-160 Communication (07/08/2016) from the County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims which were filed against the County of Kauai from April 1, 2016 through June 30, 2016. *(Received for the Record.)*

COMMUNICATIONS:

C 2016-161 Communication (07/08/2016) from the County Attorney, requesting authorization to expend additional funds up to \$30,000.00 for Special Counsel's continued services provided for the Planning Department in Transient Vacation Rental (TVR) Appeals, and related matters. ***(Approved.)***

C 2016-162 Communication (07/08/2016) from the County Attorney, requesting authorization to expend additional funds up to \$30,000.00 for Special Counsel's continued representation of Bernard P. Carvalho, Jr., in his official capacity as the Mayor of the County of Kaua'i, in Kaua'i Police Commission, et al. vs. Bernard P. Carvalho, Jr., in his official capacity as the Mayor of the County of Kaua'i, Civil No. 12-1-0229 (Fifth Circuit Court); CAAP NOS. CAAP-12-0001123 & 13-0000015 (Hawai'i Supreme Court, Intermediate Court of Appeals), and related matters. ***(Council Absence, Tie Vote; Pursuant to Council Rule No. 5(e), item shall be made the Special Order of the Day at the August 3, 2016 Council Meeting.)***

C 2016-163 Communication (07/08/2016) from the Office of the County Attorney, requesting authorization to expend additional funds up to \$15,000.00 for Special Counsel's continued representation of the Kaua'i Police Commission and the Kaua'i Police Commission Members, in their official capacity, in Kaua'i Police Commission, et al. vs. Bernard P. Carvalho, Jr., in his official capacity as the Mayor of the County of Kaua'i, Civil No. 12-1-0229 (Fifth Circuit Court); CAAP NOS. CAAP-12-0001123 & 13-0000015 (Hawai'i Supreme Court, Intermediate Court of Appeals) and related matters. ***(Council Absence, Tie Vote; Pursuant to Council Rule No. 5(e), item shall be made the Special Order of the Day at the August 3, 2016 Council Meeting.)***

LEGAL DOCUMENTS:

C 2016-164 Communication (06/13/2016) from the Fire Chief, requesting Council approval of the indemnification provisions contained in the Hale Halawai 'Ohana 'O Hanalei, Hanalei Community Center Facility Use Guidelines and Application Forms, for the use of their facility to conduct the Community Emergency Response Training (CERT) program. ***(Approved.)***

C 2016-165 Communication (06/22/2016) from the Executive on Aging, requesting Council approval to enter into a Memorandum of Understanding (MOU) and Network Partner Agreement with various community organizations, which will be involved with the Aging and Disability Resource Center (ADRC):

- (21) Memorandums of Understanding Between the County of Kaua'i Agency on Elderly Affairs and named Community Partner; and
 - County of Kaua'i Agency on Elderly Affairs Network Partner Agreement.
- (Approved.)***

Council Meeting Follow-up Memorandum to the Mayor

July 21, 2016

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CLAIM:

C 2016-166 Communication (07/08/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Joanna Martin, for damages to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2016-48, Draft 1 – RESOLUTION PROPOSING A CHARTER AMENDMENT TO ESTABLISH A COUNTY ROADS RESURFACING / RECONSTRUCTION BACKLOG FUND *(Motion to Approve Failed; Received for the Record.)*

Resolution No. 2016-49 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY *(Beth A. Tokioka) (Approved.)*

Resolution No. 2016-50 – RESOLUTION ESTABLISHING A COUNTY BUS STOP ALONG KAWAIHAU ROAD, KAWAIHAU DISTRICT, COUNTY OF KAUA'I *(Deferred.)*

Resolution No. 2016-51 – RESOLUTION AUTHORIZING THE MAYOR OR THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUA'I TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE KEKAHA LANDFILL LATERAL EXPANSION CELL 2, PROJECT NO. NPS0047-12 *(Approved.)*

BILL FOR SECOND READING:

Bill No. 2629 – A BILL FOR AN ORDINANCE TO AMEND SECTION 22-8.2, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO SMOKING IN A MOTOR VEHICLE *(Approved As Amended to Bill No. 2629, Draft 1.)*

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)*