

COUNTY COUNCIL

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MEMORANDUM

August 10, 2017

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: AUGUST 9, 2017 COUNCIL MEETING RECAP

This is to inform you of the action taken by the Council at its August 9, 2017 Council Meeting:

CONSENT CALENDAR:

C 2017-173 Communication (06/21/2017) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral appointees to the Charter Review Commission:

- Virginia M. Kapali – Term ending 12/31/2018
- Galen T. Nakamura – Term ending 12/31/2018
(Received for the Record.)

C 2017-174 Communication (06/23/2017) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Alfred Levinthol to the Fire Commission – Partial Term ending 12/31/2017. *(Received for the Record.)*

C 2017-175 Communication (07/20/2017) from the Director of Finance, transmitting for Council information, the Period 12 Financial Reports – Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances, and Revenue Report as of June 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 2017-176 Communication (07/21/2017) from Councilmember Kawakami, providing written disclosure of a possible conflict of interest and recusal regarding all matters involving N.F. Kawakami Store, due to his familial and potential business relationship with N.F. Kawakami Store. *(Received for the Record.)*

COMMUNICATIONS:

C 2017-168 Communication (07/12/2017) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend funds from the Hawai'i Community Foundation, in the amount of \$50,000.00, and from Partners for Places, in the amount of \$50,000.00, for a total amount of \$100,000.00, for the development of a Climate Action Plan (CAP) for the County of Kaua'i. *(Received for the Record.)*

C 2017-177 Communication (07/13/2017) from the Mayor, requesting agenda time for a briefing from Smith Dawson & Andrews, Inc., Washington, D.C. consultants, to provide a recap of the services and activities they provided to the County during the past year as part of their professional services contract. *(Received for the Record.)*

C 2017-178 Communication (07/14/2017) from the Director of Finance, requesting Council approval to accept and expend appropriations of \$3,500,000.00 which has been provided to the County of Kaua'i in the Supplemental Appropriations Act of 2017 – Act 49, Session Laws of Hawai'i 2017 from the State of Hawai'i, for Appropriation Warrant No. 223 for the following projects:

- Bryan J. Baptiste Sports Complex Improvements - \$2,500,000.00; and
- Captain Cook Memorial Park Improvements - \$1,000,000.00. *(Approved.)*

C 2017-179 Communication (07/17/2017) from the Prosecuting Attorney, requesting Council approval to receive and expend State funds, in the amount of \$222,628.00, to be used towards funding one (1) Full-Time Equivalent (FTE) Deputy Prosecuting Attorney and partial fringe benefits for the Career Criminal Prosecution Unit, and to indemnify the State of Hawai'i Department of the Attorney General. *(Approved.)*

C 2017-180 Communication (07/18/2017) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend State of Hawai'i Department of Labor and Industrial Relations (DLIR) funds, in the amount of \$6,000.00, which will be used in addition to the original \$30,000.00 that was already approved by the Council to complete the work with the Department of Education (DOE) – Natural Resources Pathway and Future Farmers of America (FFA) programs at Kaua'i, Kapa'a, and Waimea High Schools, provide summer internship programs for students to work on Kaua'i farms, ranches, and agriculture-related businesses. *(Approved.)*

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C 2017-181 Communication (07/26/2017) from the Executive on Aging, requesting Council approval to receive and expend Federal funds, in the amount of \$551,641.00 for Fiscal Year 2018, to be used by the County of Kaua'i, Agency on Elderly Affairs for the provision of Title III services of the Older Americans Act, which includes information and referral, outreach, legal assistance, in-home fall prevention, congregate meals, home delivered meals, evidence based programs like EnhanceFitness or Better Choices, Better Health, and caregiver support services, and to indemnify the State Executive Office on Aging. ***(Approved.)***

C 2017-182 Communication (08/01/2017) from Council Chair Rapozo, transmitting for Council consideration, proposed amendments to Chapter 16, by adding a new subsection to Section 16-2.1 "County Council to Exercise Functions by Resolution," which negates the Council's authority to establish school bus stops, leaving this function to the State of Hawai'i. ***(Received for the Record.)***

LEGAL DOCUMENT:

C 2017-183 Communication (07/12/2017) from the Mayor, recommending Council approval of a Dedication Deed from Edward S. Bittner, Trustee of the Ko'ohio Realty Trust, conveying Roadway Lot 2, Pila'a, Hanalei, Kaua'i, Hawai'i, Tax Map Key (TMK) No. (4) 5-1-004-034, to the County of Kaua'i for road widening purposes.

- Dedication Deed
(Approved.)

CLAIM:

C 2017-184 Communication (07/26/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Sun Fuye, for damages 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.

RESOLUTIONS:

Resolution No. 2016-60 - RESOLUTION AUTHORIZING THE ACQUISITION OF A PUBLIC PEDESTRIAN BEACH ACCESS EASEMENT IN LAND REQUIRED FOR PUBLIC USE, TO WIT: A PUBLIC PEDESTRIAN BEACH ACCESS EASEMENT TO KUKUI'ULA BAY, KUKUI'ULA, COUNTY OF KAUA'I, HAWAI'I, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN ***(Approved.)***

Resolution No. 2017-40 - RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION ***(Virginia M. Kapali) (Approved.)***

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Resolution No. 2017-41 - RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION (*Galen T. Nakamura*) (**Approved.**)

Resolution No. 2017-42 - RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE FIRE COMMISSION (*Alfred Levinthol*) (**Approved.**)

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2661) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 16 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE TRAFFIC CODE (**Approved on 1st reading, Public Hearing scheduled for September 6, 2017, and referred to the Public Works / Parks & Recreation Committee Meeting.**)

BILLS FOR SECOND READING:

Bill No. 2658, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, ARTICLE 11 AND 11A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (**Approved.**)

Bill No. 2659, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, SECTION 5A-11A.1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE BENEFICIAL TAX RATE FOR PROPERTY USED FOR LONG-TERM AFFORDABLE RENTAL (**Approved as Amended to Bill No. 2659, Draft 2.**)

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*)