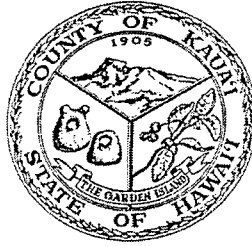


COUNTY COUNCIL

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

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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

October 20, 2016

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **OCTOBER 19, 2016 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its October 19, 2016 Council Meeting:

CONSENT CALENDAR:

C 2016-211 Communication (09/06/2016) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Daniel K. Aki to the Salary Commission – Term ending 12/31/2018. ***(Received for the Record.)***

C 2016-212 Communication (09/21/2016) from the Acting County Engineer, transmitting for Council consideration, a 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 Hawai'i, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Hanamā'ulu And Kapaia Sewage Pump Stations (SPS) Renovations, Project No. C150059-23. ***(Received for the Record.)***

C 2016-213 Communication (09/28/2016) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of August 25, 2016. ***(Received for the Record.)***

C 2016-214 Communication (10/01/2016) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral reappointments to the various Boards and Commissions serving the County of Kaua'i:

a. Building Board of Appeals

- Patrick D. Lizama (Fire Safety) – Term ending 12/31/2019

AN EQUAL OPPORTUNITY EMPLOYER

b. Board of Ethics

- Ryan M. de la Pena – Term ending 12/31/2019
- Maureen M. Tabura – Term ending 12/31/2019

c. Board of Water Supply

- Laurie K. Ho – Term ending 12/31/2019

d. Civil Service Commission

- Elizabeth Hahn – Term ending 12/31/2019

e. Cost Control Commission

- Joanne P. Nakashima – Term ending 12/31/2019
- Jan Hashizume – Term ending 12/31/2019

f. Fire Commission

- Michael Martinez – Term ending 12/31/2019
- Chad K. Pacheco – Term ending 12/31/2019

g. Liquor Control Commission

- Jean A. Iida – Term ending 12/31/2019
- Paul N. Endo – Term ending 12/31/2019

h. Planning Commission

- Sean M. Mahoney (Labor) – Term ending 12/31/2019
- Heather K. Ahuna (Environmentalist) – Term ending 12/31/2019

i. Police Commission

- Gerald Bahouth – Term ending 12/31/2019

j. Salary Commission

- Lenie F.P. Nishihira – Term ending 12/31/2019
(Received for the Record.)

C 2016-215 Communication (10/05/2016) from the County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims which were filed against the County of Kaua'i from July 1, 2016 through September 30, 2016. *(Received for the Record.)*

COMMUNICATIONS:

C 2016-210 Communication (09/01/2016) from the Mayor, transmitting the Public Access, Open Space, and Natural Resources Preservation Fund Commission's recommendation, a 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. *(Received for the Record.)*

C 2016-216 Communication (09/15/2016) from the Chief of Police, requesting Council approval to apply for, receive, and expend Federal funds in the amount of \$648,245.00, from the recurring National Highway Traffic Safety Administration (NHTSA) grant to be used towards the following traffic related functions: Data Traffic Records, Distracted Driver, Occupant Protection, Pedestrian, Road Block, Speed, Youth Deterrence, Traffic Services, purchase of equipment, supplies, training expenses, media expenses, et cetera. *(Approved.)*

C 2016-217 Communication (09/19/2016) from the Director of Economic Development, requesting Council approval to receive and expend State Funds subject to availability under the Title I Federal grant, in the amount of \$339,594.00 per year for a four-year contract, from the Workforce Development Council to be used for the Workforce Innovation and Opportunity Act of 2014 WIOA, Adult, Dislocated Worker, Youth Service Programs, and other administrative costs. *(Approved.)*

C 2016-218 Communication (09/21/2016) from the Fire Chief, transmitting for Council consideration, proposed amendments to Ordinance No. B-2016-812, as amended, relating to the Operating Budget of the County of Kaua'i, for the Fiscal Year 2016-2017, by revising the amounts estimated in the General Fund, to replace the Kaua'i Fire Department's (KFD) 50 Automated External Defibrillators (AED) and includes, rechargeable batteries, carrying case, data card, and training packs. *(Received for the Record.)*

C 2016-219 Communication (09/21/2016) from the Fire Chief, transmitting for Council consideration, proposed amendments to Ordinance No. B-2016-812, as amended, relating to the Operating Budget of the County of Kaua'i, for the Fiscal Year 2016-2017, by revising the amounts estimated in the General Fund, to replace the Kaua'i Fire Department's (KFD) 60 Self Contained Breathing Apparatus (SCBA) and includes air cylinders, rechargeable batteries, and chargers. *(Received for the Record.)*

C 2016-220 Communication (10/03/2016) from the Prosecuting Attorney, requesting Council approval to receive and expend State General Funds, in the amount of \$25,000.00, from the State Office of Youth Services contract DHS-16-OYS-624, to be used to subcontract to Hale 'Opio Kaua'i, Inc., for Kaua'i Teen Court Services from December 1, 2016 to November 30, 2017. ***(Approved.)***

C 2016-221 Communication (10/12/2016) from the Emergency Management Administrator, requesting Council approval to receive and expend grant funds from the United States Department of Homeland Security, via the State of Hawai'i Department of Defense, in the amount of \$4,929.91 in addition to the FY 2014 State Homeland Security Grant Program which was previously approved (C 2014-272), for efforts to upgrade the 800 MHz radio system. ***(Approved to receive and expend the amended amount of \$8,669.17.)***

LEGAL DOCUMENTS:

C 2016-222 Communication (09/21/2016) from the Acting County Engineer, recommending Council approval of a Wastewater Facilities Cost-Share Agreement from Ha'ili Moe, Inc., a Hawai'i Corporation, for a public-private partnership between Grove Farm Company, Inc., and the County for renovation to the County's existing Hanamā'ulu and Kapaia Sewage Pump Stations (SPS) situated at Tax Map Key (TMK) Nos. 3-6-02: por. 1, por. 4, 17, por. 18, 23, 24, 25, 26, 27; 3-7-01: por. 1; 3-7-02: por. 1 and por. 12; and 3-7-03: por. 20.

- Wastewater Facilities Cost-Share Agreement Between Ha'ili Moe, Inc. and the County of Kaua'i
(Approved.)

C 2016-223 Communication (09/22/2016) from the Executive on Aging, recommending Council approval to enter into a Memorandum of Understanding (MOU) and Network Partner Agreement with Halawai Counseling and the National Kidney Foundation of Hawai'i, which will be involved with the Aging and Disability Resource Center (ADRC).

- Two (2) Memorandums of Understanding Between the County of Kaua'i Agency on Elderly Affairs and the above referenced Community Partners; and
- County of Kaua'i Agency on Elderly Affairs Network Partner Agreement.
(Approved.)

C 2016-224 Communication (10/07/2016) from the Deputy County Attorney, recommending Council approval of a Confirmation Quitclaim Deed involving Tax Map Key (TMK) (4) 2-5-003:001, Lot 37-B, by ONE DIVA, LLC, to be used for public roadway purposes, located on Wawae Road, Lāwa'i.

- Confirmation Quitclaim Deed
(Approved.)

CLAIMS:

C 2016-225 Communication (09/29/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Mahasen H. Katoush, for damage 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.)***

C 2016-226 Communication (10/03/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Gary T. Mack, for damage to his personal property, 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.)***

C 2016-227 Communication (10/04/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Iris Ijima, for damage 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.)***

C 2016-228 Communication (10/06/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Susan Hatch, for damage to her rental 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.)***

C 2016-229 Communication (10/07/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Carolina Santos, for reimbursement of medical bills, 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.)***

C 2016-230 Communication (10/12/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Island Insurance Company as subrogee for Anahita and Babak Azar for damage to their fence and personal property, 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. 2016-57 RESOLUTION ESTABLISHING TRAFFIC LANE MODIFICATIONS AND BICYCLE LANES ON RICE STREET AND HO'OLAKO STREET; ESTABLISHING CROSSWALKS ON RICE STREET, PUA'OLE STREET, HO'OLAKO STREET, KALENA STREET, HO'ALA STREET, AND MALAMA STREET; AND REPEALING, AMENDING, AND ESTABLISHING PARKING RESTRICTIONS AND BUS STOPS ON RICE STREET, COUNTY OF KAUAI (*Approved.*)

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 KAUAI, HAWAII, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN (*Public Hearing scheduled for November 16, 2016, and referred to the December 14, 2016 Council Meeting.*)

Resolution No. 2016-61 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE SALARY COMMISSION (*Daniel K. Aki*) (*Approved.*)

Resolution No. 2016-62 – 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 HANAMĀ'ULU AND KAPAIA SEWAGE PUMP STATIONS (SPS) RENOVATIONS, PROJECT NO. C150059-23 (*Approved.*)

Resolution No. 2016-63 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE BUILDING BOARD OF APPEALS (*Patrick D. Lizama – Fire Safety*) (*Approved.*)

Resolution No. 2016-64 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE BOARD OF ETHICS (*Ryan M. de la Pena*) (*Approved.*)

Resolution No. 2016-65 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE BOARD OF ETHICS (*Maureen M. Tabura*) (*Approved.*)

Resolution No. 2016-66 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE BOARD OF WATER (*Laurie K. Ho*) (*Approved.*)

Resolution No. 2016-67 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE CIVIL SERVICE COMMISSION (*Elizabeth Hahn*) (*Approved.*)

Resolution No. 2016-68 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE COST CONTROL COMMISSION (*Joanne P. Nakashima*) **(Approved.)**

Resolution No. 2016-69 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE COST CONTROL COMMISSION (*Jan Hashizume*) **(Approved.)**

Resolution No. 2016-70 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE FIRE COMMISSION (*Michael Martinez*) **(Approved.)**

Resolution No. 2016-71 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE FIRE COMMISSION (*Chad K. Pacheco*) **(Approved.)**

Resolution No. 2016-72 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE LIQUOR CONTROL COMMISSION (*Jean A. Iida*) **(Approved.)**

Resolution No. 2016-73 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE LIQUOR CONTROL COMMISSION (*Paul N. Endo*) **(Approved.)**

Resolution No. 2016-74 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE PLANNING COMMISSION (*Sean M. Mahoney – Labor*) **(Approved.)**

Resolution No. 2016-75 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE PLANNING COMMISSION (*Heather K. Ahuna – Environmentalist*) **(Approved.)**

Resolution No. 2016-76 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE POLICE COMMISSION (*Gerald Bahouth*) **(Approved.)**

Resolution No. 2016-77 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE SALARY COMMISSION (*Lenie F.P. Nishihira*) **(Approved.)**

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2639) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Kauai Fire Department, Training Bureau, Other Small Equipment, Fifty (50) Automated External Defibrillators – \$151,000.00*) **(Approved on 1st reading, Public Hearing scheduled for November 16, 2016, and referred to the Budget & Finance Committee.)**

Proposed Draft Bill (No. 2640) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Kauai Fire Department, Fire Operations Public Safety, Sixty (60) Self-Contained Breathing Apparatus (SCBA) – \$390,000.00*) (*Approved on 1st reading, Public Hearing scheduled for November 16, 2016, and referred to the Budget & Finance Committee.*)

BILLS FOR SECOND READING:

Bill No. 2637 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2016-812, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Office of Economic Development, Grant In Aid (Special Events Security) – \$43,473.00*) (*Approved.*)

Bill No. 2638, Draft 1 – A BILL FOR AN ORDINANCE TO AMEND SECTION 2, ORDINANCE NO. 891 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF KAUAI FOR THE PURPOSE OF FINANCING CERTAIN PUBLIC IMPROVEMENTS AND REFUNDING CERTAIN BONDS OF THE COUNTY; FIXING OR AUTHORIZING THE FIXING OF THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDING FOR THE SALE OF SUCH BONDS TO THE PUBLIC (*Approved.*)

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*)