

COUNTY COUNCIL

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MEMORANDUM

November 2, 2017

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **NOVEMBER 1, 2017 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its November 1, 2017 Council Meeting:

CONSENT CALENDAR:

C 2017-245 Communication (09/27/2017) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Marissa L. Sandblom to the Charter Review Commission – Partial Term ending 12/31/2017. ***(Received for the Record.)***

C 2017-246 Communication (10/11/2017) from the Acting County Engineer, transmitting for Council consideration, a Resolution Establishing A School Zone With A 15-Mile Per Hour (MPH) Speed Limit Near Kalāheo Elementary School For Polaris Road And A Portion Of Pu'u Road And Hokua Road, Kōloa District, County Of Kaua'i. ***(Received for the Record.)***

C 2017-247 Communication (10/20/2017) from Councilmember Kaneshiro, providing written disclosure of a possible conflict of interest and recusal regarding the interview and appointment of Marissa L. Sandblom to the Charter Review Commission, as Ms. Sandblom is a colleague of his place of employment, Grove Farm Company, Inc. ***(Received for the Record.)***

C 2017-248 Communication (10/23/2017) from Councilmember Kawakami, providing written disclosure of a possible conflict of interest and recusal regarding the interview and appointment of Marissa L. Sandblom to the Charter Review Commission, as he is a Trustee of Waioli Corporation, a 501(c)(3) nonprofit organization whose mission is to preserve Kaua'i's numerous cultural sites and collections, which includes the Grove Farm Museum in Līhu'e. ***(Received for the Record.)***

COMMUNICATIONS:

C 2017-238 Communication (10/04/2017) from the Acting County Engineer, requesting Council approval of the associated Release and Hold Harmless Agreement for the Department of Defense Civil-Military Innovative Readiness Training (IRT) program grant which was previously approved by the Kaua'i County Council at its September 20, 2017 Council Meeting, to construct a portion of the Lydgate-Kapa'a Bicycle/Pedestrian Path Phases C & D to include upgrading the existing County-owned parking lot located behind Kapa'a Missionary Church, and the construction of a new comfort station. ***(Approved.)***

C 2017-249 Communication (10/02/2017) from Councilmember Kawakami, requesting the presence of the Mayor, to provide a briefing on the Administration's priorities for the 2018 Legislative Session, beginning the dialogue regarding other potential County priorities and formulating the 2018 Kaua'i County Legislative Package. ***(Referred to the November 8, 2017 Economic Development & Intergovernmental Relations Committee Meeting.)***

C 2017-250 Communication (10/06/2017) from the Chief of Police, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 16, Kaua'i County Code 1987, As Amended, Relating To The Traffic Code, to specify that parking a vehicle in a manner that obstructs the free movement of vehicles within the lane of travel is prohibited. ***(Received for the Record.)***

C 2017-251 Communication (10/11/2017) from the Executive on Aging, requesting Council approval to receive and expend \$17,500.00 in State Health Insurance Assistance Program (SHIP) Funds (Federal funds) and to indemnify the State Executive Office on Aging, to be used by the County of Kaua'i, Agency on Elderly Affairs for the development and implementation of a SHIP Program on the island of Kaua'i, to provide information and assistance to Medicare beneficiaries, their families, caregivers, and those nearing retirement or Medicare eligibility. ***(Approved.)***

C 2017-252 Communication (10/12/2017) from the Chief of Police, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 16, Kaua'i County Code 1987, Relating to The Traffic Code, to authorize civilian employees designated by the Chief of Police to tow or cause the towing of illegally parked vehicles that create traffic hazards or impede emergency operations. ***(Received for the Record.)***

C 2017-253 Communication (10/20/2017) from the Acting County Engineer, requesting Council approval to apply for, receive, and expend grant funds from the State of Hawai'i, Department of Health, Clean Water Branch to study the feasibility of an island-wide (i.e. County and private) biosolids reuse project; address the current lack of alternatives to landfill disposal for wastewater treatment plant generated sludge (i.e. biosolids) on Kaua'i; evaluate options for appropriate end uses for biosolids, inclusive of land application and composting and identify what level of biosolids treatment is required (i.e. Class A or B); evaluate the potential to optimize biogas production at the Lihu'e Wastewater Treatment Plant (WWTP) to be captured and used for its energy value; and address the 4,000 tons of biosolids which are being landfilled annually. The Department does not know the value of project funding at this time. *(Approved.)*

C 2017-254 Communication (10/23/2017) from Councilmember Chock, transmitting for Council consideration, proposed amendments to amend Chapter 8, Section 8-8.6, Kaua'i County Code 1987, as amended, relating to the Comprehensive Zoning Ordinance, to provide a process for existing farm worker housing to obtain "farm worker housing use permits." *(Received for the Record.)*

C 2017-255 Communication (10/23/2017) from Council Chair Rapozo, transmitting for Council consideration for inclusion in the 2018 County of Kaua'i Legislative Package, A Bill For An Act Relating To Animals; Licenses And Regulations, to delete the provision in Hawai'i Revised Statutes (HRS) that requires the County of Kaua'i to contract the Kaua'i Humane Society to provide animal services. *(Approved.)*

C 2017-256 Communication (10/23/2017) from Councilmember Kawakami, transmitting for Council consideration the following measures for inclusion in the 2018 County of Kaua'i Legislative Package:

- A Bill for An Act Relating to Tort Liability, to delete the sunset provision for the liability exceptions for county lifeguards.
- A Bill for An Act Making An Appropriation for Emergency Medical Services, to appropriate moneys to the Department of Health for Fiscal Year (FY) 2018-2019 for a 24 hours, 7 days a week ambulance unit for the County of Kaua'i.
- A Bill for An Act Relating to Transient Accommodations Tax, to remove the cap for distribution of transient accommodations tax revenues to the counties.
- A Bill for An Act Relating to Fire Sprinklers, to establish a tax credit of 25% of the total cost,

including installation, of an automatic fire sprinkler or automatic fire system in any new detached one or two-family dwelling unit in a structure used only for residential purposes; sunsets on June 30, 2026.

- A Bill for An Act Relating to Taxation, to provide a taxpayer who hires an individual with a disability a nonrefundable tax credit for the six-month period after the individual is initially hired by the taxpayer.
- A Bill for An Act Relating to Taxation, to provide a taxpayer who hires an elderly individual a nonrefundable tax credit for the six-month period after the individual is initially hired by the taxpayer.

(Approved, with the exception of A Bill for An Act Relating to Tort Liability.)

C 2017-257 Communication (10/25/2017) from Councilmember Kawakami, transmitting for Council consideration for inclusion in the 2018 County of Kaua'i Legislative Package, A Bill For An Act Relating To Tort Liability, to re-establish the liability exceptions for county lifeguards. *(Approved.)*

LEGAL DOCUMENT:

C 2017-217 Communication (08/10/2017) from the County Attorney, recommending Council approval of a Grant of Easement, made between the County of Kaua'i and Sandy Saemann, Trustee of the Sandy Saemann Trust of 1990, conveying Easement "AU-1," Tax Map Key (TMK) No. (4) 5-2-004:069, Kilauea Gardens Subdivision, Kilauea, Kaua'i, Hawai'i, for access and utility purposes.

- Grant of Easement
(Received for the Record.)

COMMITTEE REPORTS: APPROVED.

RESOLUTIONS:

Resolution No. 2017-53 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION *(Marissa L. Sandblom) (Deferred to the November 29, 2017 Special Council Meeting.)*

Resolution No. 2017-54 – RESOLUTION ESTABLISHING A SCHOOL ZONE WITH A 15-MILE PER HOUR (MPH) SPEED LIMIT NEAR KALÁHEO ELEMENTARY SCHOOL FOR POLARIS ROAD AND A PORTION OF PU‘U ROAD AND HOKUA ROAD, KŌLOA DISTRICT, COUNTY OF KAUA‘I *(Approved.)*

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2673) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 16, KAUA‘I COUNTY CODE 1987, RELATING TO THE TRAFFIC CODE *(Prohibited Parking) (Approved on 1st reading, Public Hearing scheduled for December 6, 2017, and referred to the Public Safety & Transportation Committee.)*

Proposed Draft Bill (No. 2674) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 16, KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO THE TRAFFIC CODE *(Vehicle Towing Authorization) (Approved on 1st reading, Public Hearing scheduled for December 6, 2017, and referred to the Public Safety & Transportation Committee.)*

Proposed Draft Bill (No. 2675) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUA‘I COUNTY CODE 1987, RELATING TO THE COMPREHENSIVE ZONING ORDINANCE *(Farm Worker Housing Use Permits) (Referred to the Planning Commission.)*

BILL FOR SECOND READING:

Bill No. 2668 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-822, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2017 THROUGH JUNE 30, 2018, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND *(2017 Bond Issuance Projects - \$25,750,000.00) (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)*