

COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Arthur Brun
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Arryl Kaneshiro
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OFFICE OF THE COUNTY CLERK

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MEMORANDUM

January 13, 2017

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **JANUARY 12, 2017 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its January 12, 2017 Council Meeting:

CONSENT CALENDAR:

C 2017-20 Communication (11/18/2016) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral appointments to various Boards and Commissions for the County of Kaua'i:

- a. Civil Service Commission
 - Vonnell F. Ramos – Term ending 12/31/2019
- b. Cost Control Commission
 - Preston I. S. Chong – Term ending 12/31/2019
(Received for the Record.)

C 2017-21 Communication (11/30/2016) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Maryanne W. Kusaka to the Liquor Control Commission – Term ending 12/31/2019. *(Received for the Record.)*

C 2017-22 Communication (12/16/2016) from Councilmember Brun, providing written disclosure of a possible conflict of interest and recusal regarding Bill No. 2643, Repealing Article 23 of Chapter 22, Relating to Pesticides and Genetically Modified Organisms, as he is employed by Syngenta Seeds on Kaua'i. *(Received for the Record.)*

C 2017-23 Communication (12/19/2016) from the Director of Finance, transmitting for Council information, the Schedule of Fund Balances for the Fiscal Year Ended June 30, 2016, pursuant to Section 19.14 of the Charter of the County of Kaua'i. ***(Received for the Record.)***

C 2017-25 Communication (12/28/2016) from the Housing Director, transmitting for Council consideration, a Resolution Amending Resolution No. 2016-53, Approving The Lima Ola Workforce Housing Project Pursuant To Section 201H-38, Hawai'i Revised Statutes, to clarify and reference the proper Tax Map Key (TMK) for the project, which is now TMK (4) 2-1-001:054 and was modified to reflect the TMK assigned to the parcel after the subdivision of the parcel. ***(Received for the Record.)***

BILL TO LAY ON TABLE:

Bill No. 2635, Draft 2 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 19, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE WAILUA GOLF COURSE ***(Mayoral Veto Laid on the Table.)***

COMMUNICATIONS:

C 2017-24 Communication (12/28/2016) from the Mayor, submitting his veto of Bill No. 2635, Draft 2, Relating to the Wailua Golf Course. ***(Received for the Record.)***

C 2017-06 Communication (10/20/2016) from the Fire Chief, requesting Council approval of the indemnification language contained in State Lease No. DOT-A-16-0005, to release and indemnify the State of Hawai'i Department of Transportation Airports Division. ***(Approved.)***

C 2017-26 Communication (12/20/2016) from the Director of Economic Development, requesting Council approval to receive and expend funds in the amount of \$161,120.00, from the State of Hawai'i, Division of Vocational Rehabilitation (DVR), and to indemnify the State DVR, for the County of Kaua'i's Workforce Innovation and Opportunities Act (WIOA)/DVR 2017 Summer Youth Employment Program (DVR-SYEP), which enables the County of Kaua'i to conduct a summer youth employment program for vocational rehabilitation participants (with special needs) with subsidized summer jobs to acquire work experience in a safe environment in addition to helping them develop good work habits. ***(Approved.)***

C 2017-27 Communication (12/22/2016) from the Housing Director, requesting Council approval for the following:

- a. Fee simple acquisition from the owners of the residential unit at 3920 Haoa Street, #113, Līhu'e, Kaua'i, Hawai'i, TMK: (4) 3-5-001-165-0003, for not more than \$191,550.00;
- b. Fee simple resale of the residential unit situated at 3920 Haoa Street, #113, Līhu'e, for not more than \$191,550.00, to a participant on the Affordable Housing Program Waitlist and will be subject to the County of Kaua'i's Restriction on Sale or Transfer, Debt and Use for a period of twenty (20) years;
- c. Authorize the County Clerk to sign legal documents related to the acquisition and resale transactions.
(Received for the Record.)

C 2017-28 Communication (12/30/2016) from the Hawai'i State Association of Counties President Michael P. Victorino, transmitting for Council approval, the Hawai'i State Association of Counties (HSAC) Executive Committee's nomination of Hawai'i County Councilmember Dru Kanuha to fill a vacancy on the board of the National Association of Counties' Western Interstate Region (WIR) for the term ending on June 30, 2017, pursuant to the Bylaws of the Hawai'i State Association of Counties, Inc. *(Received for the Record.)*

LEGAL DOCUMENT:

C 2017-29 Communication (12/29/2016) from the Director of Finance, requesting Council approval to enter into a Memorandum of Agreement (MOA) between the State of Hawai'i's Department of Defense and the County of Kaua'i for use of the Kapa'a Armory.

- Memorandum of Agreement Between the State Department of Defense and the County of Kaua'i
(Approved.)

CLAIMS:

C 2017-30 Communication (12/05/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by David R. Wellington, for property damage and 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 2017-31 Communication (12/21/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Bacon Universal Company, Inc., for damage to their equipment, 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 2017-32 Communication (12/21/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Bacon Universal Company, Inc., for damage to their equipment, 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 2017-33 Communication (12/21/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Bacon Universal Company, Inc., for damage to their equipment, 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 2017-34 Communication (12/21/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Bacon Universal Company, Inc., for damage to their equipment, 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 2017-35 Communication (12/21/2016) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Bacon Universal Company, Inc., for damage to their equipment, 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. 2017-09 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CIVIL SERVICE COMMISSION *(Vonnell F. Ramos)*
(Approved.)

Resolution No. 2017-10 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION *(Preston I. S. Chong)*
(Approved.)

Resolution No. 2017-11 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE LIQUOR CONTROL COMMISSION (*Maryanne W. Kusaka*) (**Approved.**)

Resolution No. 2017-12 – RESOLUTION AMENDING RESOLUTION NO. 2016-53, APPROVING THE LIMA OLA WORKFORCE HOUSING PROJECT PURSUANT TO SECTION 201H-38, HAWAII REVISED STATUTES (**Approved.**)

Resolution No. 2017-13 – RESOLUTION APPROVING A NOMINATION TO FILL AN UNEXPIRED TERM ON THE WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR FISCAL YEAR 2017 (**Approved.**)

BILL FOR SECOND READING:

Bill No. 2634 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, TO ALLOW MULTIPLE FAMILY DWELLING UNITS IN ALL RESIDENTIAL ZONING DISTRICTS (*Kauai County Council, Applicant*) (**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*)