

COUNTY COUNCIL

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MEMORANDUM

January 26, 2017

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **JANUARY 25, 2017 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its January 25, 2017 Council Meeting:

MAYORAL VETO:

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 Sustained; Pursuant to Section 4.03 of the Charter of the County of Kaua'i, Bill No. 2635, Draft 2, is declared void.*)

CONSENT CALENDAR:

C 2017-36 Communication (12/13/2016) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Russell M. Wong to the Board of Review – Term ending 12/31/2019. (*Received for the Record.*)

C 2017-38 Communication (01/05/2017) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of November 18, 2016. (*Received for the Record.*)

C 2017-39 Communication (01/06/2017) from Councilmember Brun, providing written disclosure of a possible conflict of interest and recusal regarding ES-888 relating to Syngenta Seeds, Inc., et al. vs. County of Kaua'i, which is related to the lawsuits underlying 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.*)

COMMUNICATIONS:

C 2017-37 Communication (01/04/2017) from the Acting County Engineer and the Director of Finance, 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 Best Management Practice (BMP) Improvements At Various Refuse Stations, Project No. NPS0059-25. *(Received for the Record.)*

C 2017-40 Communication (12/29/2016) from Council Chair Rapozo, requesting the presence of the Director of Finance and representatives from N&K CPAs, Inc., to discuss the Comprehensive Annual Financial Report (CAFR), Single Audit Reports, and Management Advisory Report for the Fiscal Year Ended June 30, 2016. *(Received for the Record.)*

C 2017-41 Communication (01/12/2017) from the County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims which were filed against the County of Kaua'i from October 1, 2016 through December 31, 2016. *(Received for the Record.)*

C 2017-42 Communication (01/13/2017) from the County Attorney, requesting approval of its recommendation for authorization to expend additional funds up to \$20,000.00 for Special Counsel's continued services to represent the County of Kaua'i in Arbitration with the Hawai'i Fire Fighter's Association, and related matters. *(Approved.)*

C 2017-43 Communication (01/19/2017) from Council Chair Rapozo, requesting the presence of the Acting County Engineer, to provide the Council with an update regarding the Kaua'i Resource Center operations and measures taken by the Administration to address the recent concerns raised by the community and businesses. *(Received for the Record.)*

CLAIMS:

C 2017-44 Communication (01/10/2017) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Sheilah H. Rego, for damages to 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 2017-45 Communication (01/18/2017) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Amil R. Valpoon, III, for damages to a vehicle in his possession on behalf of the vehicle's owner, William Pavao, 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. 2017-14 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF REVIEW (*Russell M. Wong*) (**Approved.**)

Resolution No. 2017-15 – 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 BEST MANAGEMENT PRACTICE (BMP) IMPROVEMENTS AT VARIOUS REFUSE STATIONS, PROJECT NO. NPS0059-25 (**Approved.**)

BILLS FOR SECOND READING:

Bill No. 2641 – A BILL FOR AN ORDINANCE AUTHORIZING THE EXECUTION OF A LONG-TERM LEASE AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION (**Approved.**)

Bill No. 2642, Draft 1 – 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 (*Transportation Agency – Six (6) New On-Call Driver Positions*) (**Approved.**)

Bill No. 2643 – A BILL FOR AN ORDINANCE TO AMEND THE KAUAI COUNTY CODE 1987, AS AMENDED, BY REPEALING ARTICLE 23 OF CHAPTER 22, RELATING TO PESTICIDES AND GENETICALLY MODIFIED ORGANISMS (**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*)