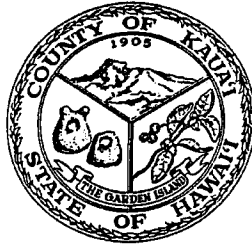


COUNTY COUNCIL

Mel Rapozo, Chair
Ross Kagawa, Vice Chair
Arthur Brun
Mason K. Chock
Arryl Kaneshiro
Derek S.K. Kawakami
JoAnn A. Yukimura



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Scott K. Sato, Deputy County Clerk

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

MEMORANDUM

October 19, 2017

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: OCTOBER 18, 2017 COUNCIL MEETING RECAP

This is to inform you of the action taken by the Council at its October 18, 2017 Council Meeting:

CONSENT CALENDAR:

C 2017-231 Communication (09/28/2017) from Dru Kanuha, Hawai'i State Association of Counties (HSAC) President, transmitting for the Kaua'i County Council's consideration, the following proposals to be included in the 2018 HSAC Legislative Package, which were approved by the HSAC Executive Committee on September 11, 2017:

2018 HSAC Legislative Package Proposals:

1. A Bill For An Act Relating To Zoning (*County of Kaua'i*)
2. A Bill For An Act Relating To Taxation; Income Tax Credit For Hiring An Individual With A Disability (*County of Kaua'i*)
3. A Bill For An Act Relating To Taxation; Income Tax Credit For Hiring An Elderly Individual (*County of Kaua'i*)
4. A Bill For An Act Relating To Transient Accommodations Tax (*County of Kaua'i*)
5. A Bill For An Act Relating To Automatic Fire Suppression Systems (*County of Kaua'i*)
6. A Bill For An Act Relating To The Conveyance Tax (*County of Maui*)
7. A Bill For An Act Relating To Transient Accommodations Tax; To Require Online Travel Companies And Other Transient Accommodations Remarketers To Pay Transient Accommodations Tax On Their Respective Portions Of Gross Rental Proceeds From The Payment Of Accommodations (*County of Maui*)
8. A Bill For An Act Relating To Government Records (*Carry over from 2017 HSAC Package - County of Maui*)

9. A Bill For An Act Relating To Important Agricultural Lands (*Carry over from 2017 HSAC Package - County of Maui*)
10. A Bill For An Act Relating To Collective Bargaining (*Carry over from 2017 HSAC Package - County of Maui*)
11. A Bill For An Act Relating To Tort Liability (*Carry over from 2017 HSAC Package - County of Kaua'i*)
12. A Bill For An Act Relating to Unadjudicated Traffic Fines (*Carry over from 2017 HSAC Package - County of Kaua'i*)
13. A Bill For An Act Relating To Emergency Medical Services (*Carry over from 2017 HSAC Package - Kaua'i County Council*)
14. A Bill For An Act Relating To Unmanned Aerial Vehicles (*Carry over from 2017 HSAC Package - City & County of Honolulu*)
15. A Bill For An Act Relating To Community Meetings (*Carry over from 2017 HSAC Package - County of Maui*)
16. A Bill For An Act Relating To Identification Cards For Persons With Disabilities (*Carry over from 2017 HSAC Package - County of Maui*)
17. A Bill For An Act Relating To Transient Accommodations Tax (*Carry over from 2017 HSAC Package - County of Maui*)
(Received for the Record.)

C 2017-232 Communication (10/04/2017) from the Managing Director, transmitting for Council consideration, a Resolution Renaming The Kamalani Kai Bridge Located At Lydgate Beach Park "Bynum Bridge" In Honor Of The Late Councilmember Tim Bynum. ***(Received for the Record.)***

COMMUNICATIONS:

C 2017-233 Communication (09/22/2017) from the Fire Chief, requesting Council approval, to accept a donation from the Kaua'i Lifeguard Association (KLA), of one (1) Trailer, valued at \$16,561.51, which will be used as an educational trailer to present Ocean Safety Awareness in Kaua'i's schools, as well as benefit the Junior Lifeguard Program, and to also be utilized for any special functions in the community that requires education on Ocean Safety awareness and prevention. ***(Approved with thank-you letter to follow.)***

C 2017-234 Communication (09/29/2017) from the County Attorney, requesting authorization to expend additional funds up to \$25,000.00 for Special Counsel's continued services provided in Eric Y. Shibuya vs. County of Kaua'i, et al., Civil No. 13-1-0345 (Fifth Circuit Court), and related matters. ***(Approved.)***

C 2017-235 Communication (09/29/2017) from the Director of Finance, transmitting for Council consideration, a Bill For An Ordinance To Establish A General Excise And Use Tax Surcharge For The County Of Kaua'i, to establish a General Excise and Use Tax Surcharge of up to one-half percent (0.5%) for the County of Kaua'i and to provide for receipt and expenditure of these moneys. ***(Received for the Record.)***

Council Meeting Follow-up Memorandum to the Mayor

October 19, 2017

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C 2017-236 Communication (10/02/2017) from Councilmember Chock and Council Chair Rapozo, transmitting for Council consideration, proposed amendments to the Shoreline Setback Ordinance. ***(Received for the Record.)***

C 2017-237 Communication (10/03/2017) from the Prosecuting Attorney, requesting Council approval, to receive and expend the State of Hawai'i, Department of Transportation Highway Safety Grant award for the Fiscal Year 2018, in the amount of \$153,239.00, which will be used toward continued funding of 1.00 Full-Time Equivalent (FTE) Traffic Resource Prosecuting Attorney, travel, and training. ***(Approved.)***

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. ***(Referred to the October 25, 2017 Public Works / Parks & Recreation Committee Meeting.)***

C 2017-239 Communication (10/05/2017) from the Acting County Engineer, requesting Council approval, to purchase a liquid chlorine dosing system, at an estimated cost of \$42,000.00 (funding will be from the Wastewater Management Division's Repair & Maintenance (R&M) Equipment Account), to continue to provide R-2 recycled water to irrigate the Wailua Golf Course after December 31, 2017, as the existing chlorine gas system is old and needs to be replaced. ***(Approved.)***

C 2017-240 Communication (10/04/2017) from the County Attorney, transmitting for Council consideration, proposed amendments to Ordinance No. B-2017-821, as amended, relating to the Operating Budget of the County of Kaua'i, for the Fiscal Year 2017-2018, by revising the amounts estimated in the General Fund, to fund Special Counsel. ***(Received for the Record.)***

C 2017-241 Communication (10/05/2017) from the First Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims which were filed against the County of Kaua'i from July 1, 2017 through September 30, 2017. ***(Received for the Record.)***

CLAIM:

C 2017-242 Communication (10/02/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Arlene Miyake, for damage to her 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. 2017-48 RESOLUTION ACCEPTING AND ENDORSING THE SHORT-RANGE TRANSIT PLAN AS A POLICY GUIDELINE FOR THE COUNTY OF KAUA'I ***(Approved.)***

Resolution No. 2017-49 – RESOLUTION APPROVING PROPOSALS FOR INCLUSION IN THE 2018 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE ***(Approved as Amended to Resolution No. 2017-49, Draft 1.)***

Resolution No. 2017-50 – RESOLUTION RENAMING THE KAMALANI KAI BRIDGE LOCATED AT LYDGATE BEACH PARK “BYNUM BRIDGE” IN HONOR OF THE LATE COUNCILMEMBER TIM BYNUM ***(Approved.)***

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2670) – A BILL FOR AN ORDINANCE TO ESTABLISH A GENERAL EXCISE AND USE TAX SURCHARGE FOR THE COUNTY OF KAUA'I ***(Approved on 1st reading, Public Hearing scheduled for November 15, 2017, and referred to the Budget & Finance Committee.)***

Proposed Draft Bill (No. 2671) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO THE COMPREHENSIVE ZONING ORDINANCE *(Shoreline Setback)* ***(Referred to the Planning Commission.)***

Proposed Draft Bill (No. 2672) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2017-821, AS AMENDED, RELATING TO THE OPERATING 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 GENERAL FUND *(Office of the County Attorney–Special Counsel Account - \$150,000.00)* ***(Approved on 1st reading, Public Hearing scheduled for November 15, 2017, and referred to the Budget & Finance Committee.)***

BILL FOR SECOND READING:

Bill No. 2667 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 1 BETWEEN JULY 1, 2017 AND JUNE 30, 2021 (*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*)

