

EMERGENCY MEETING

MARCH 17, 2006

The Emergency Meeting of the Council of the County of Kaua'i was called to order by the Council Chair at the Council Chambers, Historic County Building, 4396 Rice Street, Room 201, Līhu'e, Kaua'i, on Friday, March 17, 2006 at 3:20 p.m., after which the following members answered the call of the roll:

Honorable Shaylene Iseri-Carvalho
Honorable Daryl W. Kaneshiro
Honorable James Kunane Tokioka
Honorable JoAnn A. Yukimura
Honorable Bill "Kaipo" Asing, Council Chair

Excused: Honorable Jay Furfaro
 Honorable Mel Rapozo

Others: Michael Tresler, Director of Finance
 Margaret Sueoka, Deputy County Attorney

Chair Asing: This special emergency meeting is being called to amend the budget ordinance to allocate an additional \$950,000 for emergency purposes, as it relates to the present rainstorm and flooding conditions.

APPROVAL OF AGENDA:

Mr. Kaneshiro moved for approval of the agenda as circulated, seconded by Mr. Tokioka, and unanimously carried.

COMMUNICATIONS:

C 2006-109 Communication (03/14/2006) from the Mayor, transmitting for Council information, an Emergency Declaration for the County of Kaua'i effective 12:01 a.m., March 14, 2006: Mr. Tokioka moved to receive C 2006-109 for the record, seconded by Ms. Iseri-Carvalho and unanimously carried.

C 2006-110 Communication (03/14/2006) from Governor Linda Lingle, transmitting for Council information, her 2nd Supplementary Proclamation, in order to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people: Mr. Tokioka moved to receive C 2006-110 for the record, seconded by Ms. Iseri-Carvalho.

Chair Asing: Any discussion? If not, I'd just like to say thank you very much to the Governor for her support.

The motion to receive C 2006-110 for the record was then put and unanimously carried.

C 2006-111 Communication (03/16/2006) from the Mayor, requesting Council's immediate approval of a bill, transferring \$950,000 from the General Fund Unappropriated Surplus to the Disaster Trust Fund, to fund emergency expenditures to meet the public emergency caused by heavy rains and severe flooding: Mr. Tokioka moved to receive C 2006-111 for the record, seconded by Ms. Iseri-Carvalho and unanimously carried.

C 2006-112 Communication (03/17/2006) from the Solid Waste Program Administrative Officer, requesting Council approval to indemnify the following landowners that will provide lands to the County for the purpose of conducting Temporary Debris Storage and Reduction (TDSR) sites operations:

<u>Landowner</u>	<u>Property Location/TMK</u>
Department of Hawaiian Home Lands	Wailua TDSR/ 3-9-02:12 Anahola TDSR/ 4-8-03:18 & 4-7-04:7
Gay & Robinson	Olokele TDSR/ 1-7-06:1
Midler	Kapaa TDSR/ 4-3-010-001-0000; 4-3-010-002-000; 4-3-010-003-0000; 4-3-010-004-0000
Midler	Kilauea TDSR/5-2-021-008

Mr. Tokioka moved to approve C 2006-112, seconded by Ms. Iseri-Carvalho.

Mr. Tokioka: And I think it would be appropriate also to send a thank you letter for the landowners who are working with the County.

Chair Asing: Thank you. Good idea.

PETER NAKAMURA, COUNTY CLERK: So noted.

Chair Asing: Any discussion?

Ms. Yukimura: Yes Mr. Chair.

Chair Asing: Yes.

Ms. Yukimura: I just want an explanation of this map if we have somebody in the audience who can explain it to me.

Chair Asing: Yes, Mike please.

There being no objections, the rules were suspended.

MIKE TRESLER, DIRECTOR OF FINANCE: Director of Finance, Mike Tresler for the record. There's two (2) maps, well I guess you have color copies hopefully. The first map is otherwise known as Midler Ranch. That's near the Kapa'a Bypass, and I just wanted to provide...since we have the technology, an idea to where these sites were going to be with the TMKs. If you look at the map, we're probably going to be in TMK lot four (4). There's a gate there in this area right here, and there's already some debris, not debris, but there's some I guess road surfacing materials or I guess, well I guess debris from road resurfacing that was I guess stored there, and lease owner, leaseholder Bobby Farias had agreed to that area. And I'm pretty sure it's there in that one (1) area, but I'm not 100% sure. I'm very familiar with the ranch, and I'm pretty sure that's where it is. I just wanted to kind of point that out. To be safe, we included all TMKs.

Ms. Yukimura: So just for my orientation, this is the temporary bypass road that's passing through this property.

Mr. Tresler: Exactly.

Ms. Yukimura: Okay.

Mr. Tresler: And this is coming from Wailua going towards Kapa'a.

Ms. Yukimura: Right.

Mr. Tokioka: So the right is north, the left is south?

Mr. Tresler: Yes, yea. Makai, mauka.

Ms. Yukimura: Okay, and what about the Kilauea site?

Mr. Tresler: We asked for the Midler Ranch site, and they offered this Kilauea site. It is right at, I guess where we had the disaster or that one (1) flood, and all the debris there, so they offered the site and Troy I guess said that that would be another good site for us to have temporary debris operations.

Ms. Yukimura: So that river up above is what river then?

Mr. Tresler: That is the Kalihiwai...

- Ms. Yukimura: It's the Kalihiwai River?
- Mr. Tresler: Yea. I think it goes like this.
- Ms. Yukimura: In terms of the ocean being up above or...
- Mr. Tokioka: Down below.
- Mr. Tresler: Down this way.
- Ms. Yukimura: Oh, okay. So where is the highway?
- Mr. Kaneshiro: To the left.
- Mr. Tresler: It's up...yea, it's kind of like, yea, it's like this.
- Mr. Kaneshiro: If you hold it like this...
- Mr. Tresler: Should have got a wider view, but the purpose was to identify the TMK.
- Ms. Yukimura: So if you hold it with the stream on the left, then Princeville is on the right?
- Mr. Kaneshiro: Yea.
- Mr. Tresler: Yea. Actually...
- Mr. Kaneshiro: Actually, the best way is to hold it like this, because you'll be facing like you going towards Hanalei when you do it like this, and then this side goes down to the river. Yea, goes to the ocean rather.
- Ms. Yukimura: So we're looking at mauka of the main highway?
- Mr. Kaneshiro: Makai.
- Mr. Tresler: No, makai.
- Ms. Yukimura: Where's the bridge?
- Mr. Kaneshiro: Bridge is way on the left side if you look at this side, up here. Oh, your bridge? Kalihiwai Bridge?
- Ms. Yukimura: The big, the big...

- Mr. Kaneshiro: Way up here.
- Ms. Yukimura: The huge concrete span bridge over the valley.
- Mr. Tresler: You know this is in Kahili Makai.
- Mr. Kaneshiro: Yea, Kahili Makai.
- Ms. Yukimura: Okay, okay.
- Mr. Tresler: So you know I think...
- Ms. Yukimura: Then it's not the Kalihiwai River, it might be the Kīlauea River. Right?
- Mr. Tresler: This is Kīlauea River overlooking Secret Beach.
- Mr. Kaneshiro: Yea.
- Ms. Yukimura: Okay.
- Mr. Tresler: Yea, well Kahili Makai, yea it overlooks that area right? I don't know, I know the address is 14235 Kahili Makai Street, so...
- Ms. Yukimura: I think this is the Kīlauea River, and not the Kalihiwai River.
- Mr. Kaneshiro: Probably that's what it is.
- Ms. Yukimura: Because the town is to the right, right? The town of Kīlauea?
- Mr. Tresler: Yes.
- Ms. Yukimura: Okay, so it's the Kīlauea River.
- Mr. Tresler: Yes.
- Ms. Yukimura: Okay, that makes a big difference.
- Mr. Kaneshiro: Actually, if you go up here, that's where the slippery slides used to be at one (1) time. Way up here.
- Ms. Yukimura: Okay, then it's the Kīlauea River.

Mr. Kaneshiro: When you start up here.

Mr. Tresler: Yea, sorry, that's...

Ms. Yukimura: Okay, that makes it clear. Kalihiwai just didn't jive. Okay, and it's along the Kahili Makai Road.

Mr. Tresler: Yea.

Ms. Yukimura: Okay, thank you.

Chair Asing: Thank you.

The meeting was called back to order and proceed as follows:

Chair Asing: And there's a motion on the floor to approve. Any further discussion?

The motion to approve C 2006-112 was then put and unanimously carried.

Mr. Tokioka: Mr. Chair?

Chair Asing: Yes.

Mr. Tokioka: Just for the record.

Chair Asing: Go ahead.

Mr. Tokioka: You might want to talk about Councilmember Rapozo and Furfaro, because it was an emergency meeting. I know Councilmember Furfaro wanted to be here, but...

Chair Asing: Yes, well both are excused. Councilmember Rapozo is in the Mainland, and that's the reason he's unable to attend, and Councilmember Furfaro is on the Northshore and due to the emergency purposes for this meeting, it was difficult for him to get here because of the road and traffic conditions.

Mr. Tokioka: Thank you.

Chair Asing: Can we take the next item please?

EMERGENCY BILL:

Proposed Draft Bill No. 2176 - AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. B-2005-632 AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2005 THROUGH JUNE 30, 2006, FOR THE PURPOSE OF FUNDING EMERGENCY EXPENDITURES TO MEET THE PUBLIC EMERGENCY CAUSED BY HEAVY RAINS AND SEVERE FLOODING, WHICH STARTED ON MARCH 13 AND MARCH 14, 2006, BY REVISING THE SURPLUS AND APPROPRIATIONS IN THE GENERAL FUND:

Mr. Nakamura: Pursuant to Kauai County Charter Section 4.01(k)(1), an emergency ordinance may be considered and may be adopted with or without amendment or rejected at the meeting at which it is introduced.

Mr. Tokioka moved for adoption of the bill, and that it be transmitted to the Mayor for his approval, seconded by Ms. Yukimura.

Chair Asing: Any discussion?

Ms. Yukimura: Yes Mr. Chair.

Chair Asing: Yes, go ahead.

Ms. Yukimura: I want to...well all the way to the meeting I saw the blue sky, and I'm hoping that that will be the...gives me hope that that's the end of this very long storm. And I just want to acknowledge and thank all the people who have been reaching out to alleviate the suffering, and to prevent the damage and destruction, especially the Mayor and his cabinet, because they have been really working hard from the EOC. Mary Dalbert, the County Engineer, and all the people in Public Works, the road crews, Police and Fire Chiefs and all their personnel, and Mark Marshall and all the parties and agencies in the Emergency Operating Center. And it's you know, our part is to do this emergency bill, which I know we are very happy and willing to do our part. And I want to thank the radio stations and KONG and KKCR, and the other stations for helping the flow of information, and the neighbors and friends and volunteers who have been reaching out and calling in and extending kōkua, as well as the Governor, and the Legislators and Congress people. And most of all our heartfelt prayers for the Fehring family and their 'ohana, and families of the others who are missing or who have lost their lives.

Chair Asing: Thank you very much Councilmember Yukimura for that acknowledgement of all those concerned. Any further discussion? If not, roll call please.

