

CM Bynum

RECEIVED

**COUNCIL MEETING NOTICE and AGENDA**  
**WEDNESDAY, MARCH 3, 2010**

**9:30 A.M. OR SOON THEREAFTER**

COUNCIL CHAMBERS  
Historic County Building  
4396 Rice Street, Room 201  
Lihue, Kauai, Hawaii

'10 FEB 25 P5:44

OFFICE OF  
THE COUNTY CLERK  
COUNTY OF KAUAI

MEETING CALLED TO ORDER.

ROLL CALL.

APPROVAL OF AGENDA.

MINUTES of the following meetings of the Council:

Special Council Meeting of February 17, 2010  
Council Meeting of February 17, 2010

COMMUNICATIONS:

- C 2010-25 Communication (01/20/2010) from the County Auditor, requesting Council approval of a 3-year lease term with an option to extend for 962 square feet of office space for the relocation of the Office of the County Auditor. *(Deferred 2/17/2010)*
- C 2010-50 Communication (01/29/2010) from the Director of Personnel Services, transmitting for Council information, the last quarter reports (October - December) relative to vacancies, new hires, reallocations, and promotions, pursuant to Section 20 of the County Budget Ordinance. *(Report on file in the County Clerk's Office.)*
- C 2010-51 Communication (02/09/2010) from the Director of Planning, transmitting for Council information the Scope of Work of the Lihue Development Plan Update process, pursuant to CIP Ordinance B-2008-673.
- C 2010-52 Communication (02/11/2010) from the Director of Finance, transmitting for Council information Period 6 Financial Reports – Statement of Revenues as of December 31, 2009. *[Statement of Revenues (Estimated and Actual), Revenue Report (Listing), Statement of Expenditures and Encumbrances, and Detail Budget Report on file in the Clerk's Office.]*

- C 2010-53 Communication (02/12/2010) from the Mayor, requesting Council consideration and confirmation of James O'Connor (1<sup>st</sup> complete term ending 12/31/2012) to the Police Commission. (*Application on file in the County Clerk's Office*) (*See Resolution No. 2010-28*)
- C 2010-54 Communication (01/28/2010) from the Chief of Police, requesting Council approval to expend approximately \$300,000 from the Police Special Fund Account #206-1001-551.30-00 to purchase a new building, furniture, equipment, storage containers, surveillance equipment, fencing, and to cover utility connection costs to replace the current Kapa'a Substation.
- C 2010-55 Communication (02/03/2010) from the Director of Housing, requesting Council approval to decline the repurchase of Unit No. 13, Villas at Puali, located at 1936 Hokunui Place, Līhu'e, Hawai'i 96766, and to grant the owner a one-year waiver of the County's repurchase right effective the date of the Council's decision, to allow market sale by the owner for a period of one year.
- C 2010-56 Communication (02/03/2010) from the Director of Housing, requesting Council approval to decline the repurchase of Unit No. 101, Hookena at Puhi, located at 2080 Manawalea Street, Līhu'e, Hawai'i 96766, and to issue the owners a one-year waiver of the County's repurchase right effective the date of the Council's decision, to permit market sale of the unit for a period of one year.

CLAIMS:

- C 2010-57 Communication (02/10/2010) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Germaine J. Solano for personal injury, medical expense, and pain and suffering, pursuant to Section 23.06, Charter of the County of Kaua'i.
- C 2010-58 Communication (02/18/2010) from the County Clerk, transmitting a claim filed against the County of Kaua'i by St. Theresa School for damage to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.
- C 2010-59 Communication (02/19/2010) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Richard Hoepfner for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

COMMITTEE REPORTS:

PLANNING COMMITTEE REPORT:

**CR-PL 2010-06:** on Bill No. 2342 A BILL FOR AN ORDINANCE ESTABLISHING REGULATIONS, PROCEDURES, ZONING AND DEVELOPMENT PLANS FOR THE LIHU'E TOWN CORE AREA AND ESTABLISHING EXCEPTIONS, MODIFICATIONS AND ADDITIONS TO CHAPTER 8 AND CHAPTER 10 OF THE KAUAI COUNTY CODE 1987  
**[Approved as Amended.]**

PUBLIC WORKS/ELDERLY AFFAIRS COMMITTEE REPORT:

**CR-PWE 2010-05:** on PWE 2010-2 Communication (2/18/2010) from Committee Chair Tim Bynum, requesting the presence of the Administration to address the Hardy Street project.  
**[Received for the record.]**

RESOLUTIONS:

Resolution No. 2010-19, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BUILDING BOARD OF APPEALS (Duane Curammeng) *(Deferred 2/17/2010 pending interview.)*

Resolution No. 2010-22, RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE CIVIL SERVICE COMMISSION (Ryan de la Peña) *(Deferred 2/17/2010 pending interview.)*

Resolution No. 2010-25, RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE PLANNING COMMISSION (Caven Raco) *(Deferred 2/17/2010 pending interview.)*

Resolution No. 2010-28, RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE POLICE COMMISSION (James O'Connor)

BILL FOR FIRST READING:

Bill No. 2347 – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2009-690, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII FOR THE FISCAL YEAR JULY 1, 2009 THROUGH JUNE 30, 2010 BY REVISING THE OPERATING BUDGET OF THE OFFICE OF THE COUNTY AUDITOR IN THE GENERAL FUND *(Deferred 02/17/2010)*

BILL FOR SECOND READING:

Bill No. 2342, Draft 1 – A BILL FOR AN ORDINANCE ESTABLISHING REGULATIONS, PROCEDURES, ZONING AND DEVELOPMENT PLANS FOR THE LIHU'E TOWN CORE AREA AND ESTABLISHING EXCEPTIONS, MODIFICATIONS AND ADDITIONS TO CHAPTER 8 AND CHAPTER 10 OF THE KAUA'I COUNTY CODE 1987 (*Planning Committee recommended approval of Bill No. 2342, Draft 1, as amended to Bill No. 2342, Draft 2; see CR-PL 2010-06*)

EXECUTIVE SESSION: Pursuant to Haw. Rev. Stat. ("H.R.S.") §92-7(a), the Council may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held pursuant to H.R.S. §92-4 and shall be limited to those items described in H.R.S. §92-5(a). (Confidential reports on file in the County Attorney's Office and/or the County Clerk's Office. Discussions held in Executive Session are closed to the public.)

ADJOURNMENT.

NOTE: SPECIAL ACCOMMODATIONS AND SIGN LANGUAGE INTERPRETER AND INTERPRETERS FOR NON-ENGLISH SPEAKING PERSONS ARE AVAILABLE UPON REQUEST FIVE (5) DAYS PRIOR TO THE MEETING DATE, TO THE COUNTY CLERK, 4396 RICE STREET, ROOM 206, LIHU'E, KAUA'I. TELEPHONE NO. 241-6371.



Ernesto G. Pasion  
County Auditor

**OFFICE OF THE COUNTY AUDITOR**

COUNTY OF KAUA'I, STATE OF HAWAI'I

4386 RICE STREET, SUITE 107

LĪHU'E, HAWAI'I 96766-1819

Telephone: (808) 241-4178

Fax: (808) 241-6208

Email: auditor@kauai.gov

January 20, 2010

RECEIVED

Honorable Bill "Kaipo" Asing, Council Chair  
And Members of the County Council  
4396 Rice Street, Room 206  
Līhu'e, Hawai'i 96766

\*10 JAN 20 P1 :19

OFFICE OF THE COUNTY AUDITOR  
COUNTY OF KAUAI

Dear Chair Asing and County Council Members:

This letter requests County Council approval to establish a line item, 001-0203-511.41-01 entitled "Building Lease" for the Office of the County Auditor, and to transfer funds of \$16,444 from line item 001-0203-511.32-00 Consultant Services into this line item to pay for the lease rent and other expenses associated with leasing 962 square feet of commercial space under the terms and conditions of the attached lease.

The lease is necessary because no space has been allocated for the Office of the County Auditor, and the office must vacate the space it is temporarily occupying. This allotment will fund the lease for the remainder of Fiscal year 2009-2010. The term of the lease will be for three years with an option to extend.

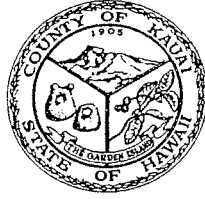
Please contact me if you have any questions regarding this request.

Sincerely,

Ernesto G. Pasion  
County Auditor

Attachments

BERNARD P. CARVALHO, JR.  
MAYOR



MALCOLM C. FERNANDEZ  
DIRECTOR OF PERSONNEL SERVICES



RECEIVED

COUNTY OF KAUA'I  
DEPARTMENT OF PERSONNEL SERVICES

MO'IKEHA BUILDING  
4444 Rice Street, Suite 140  
LIHU'E, KAUA'I, HAWAII 96766  
Telephone (808) 241-4956 • Fax (808) 241-6593

'10 FEB -9 10:08

January 29, 2010

To: Honorable Chairman of the Kaua'i County Council  
Via: Mayor Bernard P. Carvalho, Jr.   
From: Malcolm C. Fernandez, Director of Personnel Services   
Subject: **KAUA'I COUNTY BUDGET ORDINANCE**

Pursuant to Section 20 of the County Budget Ordinance, the last quarter reports (October-December) relative to vacancies, new hires, reallocations and promotions are attached for your perusal. Additional information regarding positions established is also attached for your information.

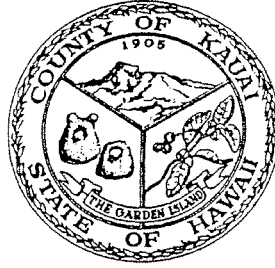
Should you have any questions relative to this matter, please do not hesitate to contact me.

Att.

C 2010 - 50

AN EQUAL OPPORTUNITY EMPLOYER

BERNARD P. CARVALHO, JR.  
MAYOR



RECEIVED  
IAN K. COSTA  
DIRECTOR OF PLANNING

GARY K. HEU  
ADMINISTRATIVE ASSISTANT

'10 FEB 22 10:09 AM  
IMA KANI P. AIU  
DEPUTY DIRECTOR OF PLANNING


COUNTY OF KAUA'I  
PLANNING DEPARTMENT  
4444 RICE STREET  
KAPULE BUILDING, SUITE A473  
LIHU'E, KAUA'I, HAWAII 96766-1326


TEL (808) 241-4050 FAX (808) 241-6699

## MEMORANDUM

**Date:** February 9, 2010

**To:** Chairperson Kaipō Asing and Members of the County Council

**From:** Ian K. Costa, Planning Director 

**Via:** Hon. Mayor Bernard P. Carvalho, Jr. 

**Subject:** Scope of Work for the Līhu'e Development Plan Update

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We are pleased to submit the Scope of Work (SOW) of the Līhu'e Development Plan Update process, pursuant to **CIP Ordinance B-2008-673**. In addition to Planning Department staff, the SOW has been reviewed by the Sustainability Design Assessment Team (SDAT) and members of the Līhu'e Tomorrow (community group).

If you have any questions regarding the SOW, please contact staff planner Lea Kaiakamalie at 241-4061 or [lkaiakamalie@kauai.gov](mailto:lkaiakamalie@kauai.gov).

## Exhibit A: Scope of Work

### Forethought

A plan is a *living document*. It should not be limited to what we know, see, or experience today. In order to reach the vision and goals set forth by *Community*, plans should be flexible; open to change. At the same time plans should be reflective of the best data and management practices known or accessible; data and management practices which suit the area or community it is intended for. Examples of best management practices should be sought, discussed, and modified as it fits the vision of the future by its community, to include sound principles and policy recommendations for immediate implementation, to improve upon the basic foundation of a community *now* and *into the future*.

### Project Objectives

The Consultant shall strive to create and execute a development plan update process that energizes broad-based participation and results in an innovative, yet pragmatic plan that will be useful to implementing agencies and decision-makers, as well as be embraced by the community, in particular those who live and/or work in the Līhu'e District. All this shall be conducted within an organizational framework that can be effectively monitored and modified toward the achievement of plan goals and intentions. In principal, the characteristics of the process shall embrace:

Prudence. The core Project Team comprised of the Consultant, Planning Department, and those individual or groups invited to be a part of the Team, work conscientiously and collaboratively to create the plan update process and final plan update based on the best information, data, management practices, and models for collaboration and decision-making known and accessible to the project.

Inclusiveness. The plan update process reaches out with innovative methods to engage the community, and in the process, strengthen community cohesion, promote partnerships, and foster new leadership. Groups that do not normally participate are sought and inspired to participate in the process (such as kupuna (elders), children, or other residents).

Partnerships. The plan is not a plan for government action only, but is a partnership among government and the community where all parties responsible to implement are held accountable.

Action-oriented. The process is focused to result in practical and pragmatic implementation; where possible, small actions are acknowledged and implemented concurrently while the plan is being developed.

Balanced. The significant cultural, historic and natural features that define the uniqueness of the community are clearly identified, but the extent and means of

protection are balanced against the impact on private rights or forthcoming opportunities [yet unknown].

Sustainable. The focus on regional interests is considered in the context of the welfare of the island, now and into the future. It is not merely parochial.

As a result of this process, the intended outcomes include:

1. Reader-friendly document – the plan shall be clear, concise, well-illustrated, and well-organized.
2. Reader-friendly HTML product – the final plan, process methodologies, website documents and elements, maps and mapping resources, and other resources from the plan process shall be packaged on CD or DVD for ease of copying, distributing, and use to partners, community members, and educators.
3. Living plan – indicators are incorporated into the plan and rating/monitoring systems are developed to track the progress of meeting its goals and objectives, to enable actions and goals to be adjusted accordingly.
4. Community network – shall evolve from the planning process; collaborative action planning teams are formed; and community forums are held to carry out implementation.
5. Government support system – the plan shall strive to recommend a government led support system that is able to weigh the plan's action items and priorities in the context of island-wide needs.
6. Action plan – the plan shall clearly sort out the implementing actions to identify:
  - a. Land use amendments and requirements – Changes to the State Land Use Districts that is within the authority of the County, and changes to the General Plan, by ordinance in order for the Līhu'e Development Plan Update (LDP Update) to be consistent;
  - b. Other regulatory changes – other new or existing ordinances or rules that need to be adopted or amended.
  - c. Budgetary items – the LDP Update prioritizes the operational and CIP requests;
  - d. Community implementation actions – the LDP Update identifies those actions which the community will be responsible to implement.

#### Project Team

The Project Team will include staff members of the Department and the Consultant. Although the Department has the authority to direct the project and process, the Project Team will work collaboratively to:

- Identify, track, manage, and resolve project issues;
- Proactively disseminating project information to stakeholders;
- Identify, manage and mitigate project risks;

- Ensure solutions agreed upon are acceptable / able to be implemented within budget and time constraints;
- Proactively manage the Scope of Work and Comprehensive Work Plan to ensure that what is agreed to is delivered (unless changes are pre-approved);
- Define and collect project “success” indicators to give a sense for how the project is progressing and whether the deliverables produced are acceptable (to team, stakeholders, etc); and
- Manage the overall schedule to ensure work is assigned and completed on time and within budget

To the extent possible, the Department will provide the Consultant with copies of plans, ordinances, statistics (such as demographic information) Geographic Information Systems (GIS) data, and other information or advise the Consultant on the appropriate avenue to acquire required information. All information and data sets used for this project shall be reviewed and approved by the Department.

### Geographic Area

The previous development plan for Līhu'e described the planning area as:

Between the South Fork of the Wailua River and the Knudsen Gap toward Kōloa-Po'ipū.  
The area is a portion of both the Kapa'a-Līhu'e and Kōloa-Po'ipū Planning Areas designated by the [1971] Kaua'i General Plan.

However, the boundary description and maps included in the 1971 Līhu'e Development Plan do not specifically define east-west and north-south limits for the Līhu'e Development Plan region. It will be necessary during this plan update process to clearly define the LDP boundaries for Līhu'e. This shall be prepared using a GIS platform, so that detailed land use maps can be created for the area and at various scales. As such, one of the initial discussions for those participating in the LDP Update process will be to identify and agree on the boundaries of the Līhu'e Development Plan area.

There have been suggestions by agency staff and members of the community regarding adopting the State Land Use District Boundary for Līhu'e or even looking at historic ahupuaa boundaries to incorporate a more geographically, environmentally, and culturally appropriate definition of Līhu'e. These ideas, and others offered during the LDP update process should be incorporated into materials for discussion and decision-making.

### *Regional Sub-Areas*

The previous DP for Līhu'e identified the following as sub-areas of the Līhu'e DP area (refer to pages 73-77 of the 1971 Līhu'e Development Plan):

1. Līhu'e – including the “Town Core,” Niumalu, and Nāwiliwili.
2. Hanamā'ulu
3. Puhi

4. Airport – or Ahukini
5. Kalepa
6. Kīpū
7. Puali
8. Nuhou
9. Ho'omana
10. Kapaia
11. Wailua

The Consultant shall utilize GIS to develop a boundary layer for the regional subareas as described in the 1971 Plan and prepare maps for discussion during the Community and Partner Participation Process, to which regional sub-areas (or “town” or “neighborhood”) boundaries should be clarified, and new sub-areas identified (if any). This will be imperative for the regional Transportation Plan, as well as to identify growth and land use patterns in each area, in order to develop recommendations for connectivity and improvements in walkability and safety.

### Plan Elements

#### *Core Elements*

Sustainability shall be at the heart of the plan process and resulting plan update. Although there are many ways in which “sustainability” is defined today, for the purpose of this plan process, and until and unless redefined by the community participating in this process, it shall be loosely described as, “The ability to have long-term reliance on a system we set to govern ourselves and our activities on, in, and around our aina; the ability to feed, clothe, shelter, discipline, provide venues for recreation and renewal of spirit for ourselves now and the future *amau amau* (forever and ever).” There are many community sustainability and smart growth models and tools available for consideration and incorporation into this planning process. Among these are the “Manual of Best Practices for Sustainable Communities” (Greening USA, June 2009), “Sustainability Planning Toolkit” (ICLEI, 2009), and “Toward Sustainable Communities: Resources for Citizens and their Governments” (Mark Roseland, 2005).

The resulting LDP Update shall provide language to anticipate change and growth (even non- or negative growth); directives or policies which are recommended through the plan may need to be updated or changed so that the community’s vision can be met in the future. At a minimum, the plan process and resulting plan update shall research and address the following themes in regard to sustainability (which inherently includes smart growth and connectivity) for Līhu’e:

#### Environment

- Environmental protection & improvements
- Perpetuating & protecting viewsheds/planes
- Natural hazard mitigation
- Coastal resource protection
- Land use (by the way this is #2 and 15 on your list)

- Waste solid and liquid
- Pollution- air, gas etc
- Energy & conservation
- Renewable energy
- Transportation & mobility
- Green building
- Recreation including parks and green space
- Agriculture and agricultural lands
- Natural hazard mitigation

#### Economy

- Job/Green jobs creation
- Workforce training
- Local food systems
- Tourism
- Business
- Youth skills and training

#### Society

- Affordable and workforce housing (gap housing)
- Poverty
- Homelessness
- Social equality
- Cultural & historic preservation
- Perpetuating sense of place
- Public facilities
- Community infrastructure
- Health and wellness
- Community education
- Arts & culture
- Civic engagement and vitality

It is not the intent for each of these elements to be independently addressed, since all are related or connected in some way. Rather, the plan process and resulting plan should allocate appropriate resources and emphasis on those elements that provide the basis for addressing improvements to or organization of other issues/themes and conditions of the planning area. Furthermore, analysis of the issues/themes should be integrated.

Of particular importance will be integrating and synchronizing the vision/goals and policies of the Līhu'e Town Core Urban Design Plan, Līhu'e Civic Center Master Plan, State Department of Transportation Highway Improvement Plans, infrastructure plans (water, sewer, and utilities), and Sustainable Design Assessment Team (SDAT) Report. Of these plans and reports, improving

traffic, walkability, and connectivity throughout Līhu'e are high priorities to communities across the island.

Another high priority issue for discussion is the future of land use in Līhu'e. The County has recently begun the Important Agricultural Lands (IAL) Study. The purpose of this project is to identify agricultural lands of importance, pursuant to Act 183 of the Hawai'i State Legislature. It will be imperative for the Consultant to incorporate and synchronize recommendations made through the IAL Study, in regard to agricultural lands and urban growth boundaries.

#### *Region-Specific Issues and Considerations*

According to the results of the Community and Partner Participation Process, the plan process and final plan may include additional themes and considerations not built in this Scope of Work. Consultants should take care to identify new issues or themes, and to provide time for discussion and treatment of these, if deemed important by the Department and members of the Community Working Group. Additional priority issues or themes should be analyzed, organized, and synchronized appropriately.

#### **Work Tasks**

The following work tasks are organized into three phases: (I) Project Organization and Preparation; (II) Community and Partner Participation Process; and (III) Plan Development and Implementation.

Prior to commencing work on the project phases, the Consultant shall return to the Department for approval a Comprehensive Work Plan. The Consultant are encouraged to propose details, alternatives, or innovative approaches to tasks and objectives described in the Scope of Work. The Consultant is also encouraged to include flow charts, models, or pictures to visually capture proposed methodology to execute the LDP Update process. In addition, The Consultant shall provide a brief description of anticipated costs for/per meeting(s), including incidental costs that may be the responsibility of the Department.

#### **Phase I. Project Organization and Preparation**

The Consultant will work with the Department and other agencies or organizations as directed to conduct research, develop map projects and maps, and design the Community and Partner Participation Process. The community (public) process is the most important element of the LDP Update. As such, it is imperative to spend time up front conducting research and designing meetings and meeting materials to educate, energize, and focus discussions toward informed and thoughtful decisions.

##### **A. Research**

At a minimum, the Consultant shall conduct research in the following areas in preparation for the Community and Partner Participation Process.

1. Gather, review, and summarize policies, plans, and recommendations relating to Līhu'e, including, but not limited to the Līhu'e Development Plan (1976), Līhu'e Town Core Urban Design Plan (2009), Līhu'e Civic Center Master Plan (2008), Statewide Transportation Plans, infrastructure plans, and 2000 General Plan. The Consultant shall organize research by topic or theme, and whether related to policy, design or long-term visioning.
2. Gather, review, analyze, and if necessary, develop demographic and statistical data related to the Līhu'e region, such as population, economic, and land use forecasting. Data gathered or developed shall include general population projections, current demographics (age, income, racial or ethnic background, housing, disability, Hawaiian Homelands, vehicle ownership per household, etc). Data shall be used to develop build-out, growth, or future development scenarios for Līhu'e.

Note that the results of the 2010 Census will be available at the end of 2010.

3. Research examples of sustainable communities, smart growth initiatives, and other related and innovative models, particularly for communities similar to Līhu'e (or Kaua'i). It will not be enough to simply gather information about new initiatives or "successful" communities from abroad. It is *imperative* that Consultant review models and case studies and discern, in collaboration with the Department and others, which models and case studies, are applicable to the Līhu'e district or sub-areas (according to Līhu'e's unique environment, land use, culture, etc).
4. Review major and reoccurring themes/issues. Themes/issues should not be considered as discrete or separate, but part of the larger network of interconnecting themes to be addressed. Priority issues shall form the basis for discussion, and sub- or related issues shall be organized and treated accordingly. For instance, as aforementioned, improving upon connectivity and walkability, throughout the Līhu'e including sub-areas is one of the foundational themes of the LDP Update. However, connectivity and walkability should not be treated as separate from the larger transportation circulation plan. Discussions regarding roadway and highway improvements, in particular plans for Līhu'e Bypass, and road and design improvements slated for the Līhu'e Town Core shall be incorporated into meeting discussions in order to address and develop specific recommendations for connectivity and walkability throughout the region.

The following are general reoccurring themes to be researched, analyzed and organized.

- Transportation, connectivity, walkability, and safe routes
- Land use and urban growth boundaries
- Public facilities improvement and accessibility
- Public utilities and energy sustainability
- Economy and economic development
- Environmental protection and improvement (for example, protecting and perpetuating key environmental resources such as Alekoko Fishpond, and Nāwiliwili Gulch, watersheds and viewsheds; and protection of coastal resources)
- Natural hazards mitigation (such as flooding, tsunamis, erosion, drought, and sea level rise).
- Cultural and historic preservation (such as perpetuating “sense of place”)
- Housing availability, proposed projects, and future needs
- Recreation and recreational opportunities (also related to walkability and connectivity)

5. Gather and catalog maps, digital mapping data, or other databases, such as tables relating to the Līhu‘e area. Create maps and map projects based on data gathered and reviewed in b. and c. above. In addition to maps relating to land use, housing, and transportation from government agencies, historic maps of Līhu‘e area shall be considered as well.

**B. Develop a Comprehensive Community Participation Plan & Media Campaign**

In anticipation of the Community and Partner Participation Process (Phase II) of this project, the Consultant shall develop a Comprehensive Community Participation Plan and Media Campaign. The Plan shall entail, but not be limited to the following:

*In regard to community participation...*

- Meeting schedules
- Focus of discussions
- Preliminary contact lists of agencies, nongovernmental organizations (businesses, schools (especially Kaua'i Community College staff and student organizations), churches, nonprofit organizations), and individuals to engage in this update process
- Meeting design and materials
- Project identity, to include a name, tagline, and graphics to be used in all communications related to the project
- Role and responsibility of the Community Working Group
- Role of community participants in this process

- Project website elements and development

*In regard to media campaign...*

- List of and information relating to media outlets, including the County website and Līhu'e Development Plan Update Website; community events already scheduled, etc.
- Designs for informational flyers or brochures to be distributed
- Preliminary schedule for press releases
- Strategy for meeting with community groups, such as churches and sports leagues at their regularly scheduled gatherings, and identifying community point-of-contacts to distribute project information

The Consultant shall work with and by direction of the Department to design meetings and meeting materials based upon themes and issues found in existing plans, discovered through research and from preliminary feedback to the Department. The Consultant should be open to adjusting schedules, meetings, and materials should new themes/issues or directions warrant adjustments. However, changes should not significantly affect the overall project timeline or budget. It will be the responsibility of both the Consultant and the Department to anticipate and mitigate challenges which may derail the project or result in budgetary oversight.

#### **1. Garnering Community and Partner Participation**

Although community and partner meetings will commence during the second phase of this project, the Consultant will conduct preliminary outreach. The following shall be included in the Comprehensive Community Participation Plan as well.

- a. Contact lists. The Consultant shall gather and maintain a project contact list of potential project participants, including residents, businesses, elected officials, and nongovernmental organizations, and agency point-of-contacts. Once the website is active and approved by the Department, Consultant shall send a notice to their contact list and through the media to alert potential participants of the LDP update process, to encourage them to check the website for updates, meeting notices, and online surveys. The Consultant shall also make the best effort to identify would-be participants that may not have access to the internet or may have other challenges impeding their participation in the project, so that other accommodations for their input can be made.
- b. Project website. The Consultant shall develop and maintain a website for this project process. It should be linked to the Department's webpage on the County of Kaua'i website. At the earliest opportunity the Consultant shall provide at a minimum a general project timeline on the website, to be updated regularly as the project proceeds forward. As research is

conducted, information about Līhu'e and summaries of existing/active plans for the region shall be posted on the website. In addition questions and themes shall be posted on the website as they arise in the form of surveys or as articles. The website shall comply with at least the minimum standards of Section 508 of the Federal Access Board rules and regulations.

## Phase II. Community and Partner Participation Process

The Community and Partner Participation Process is the most important aspect of the Līhu'e Development Plan Update and shall be developed as part of the Comprehensive Community Participation Plan and Media Campaign approved by the Department in Phase I of this project.

The following is a summary of meetings to be scheduled for the Community and Partner Participation Process. The number of meetings may vary, depending on discussion threads. However, the Consultant should take care to plan meetings out accordingly, so as not to overextend the timeline or project budget. As such, it may be advantageous to plan for the *minimum* number of meetings necessary, but allow for time and budget should additional meetings be needed.

	Meeting Type	Number of Meetings
1	Partner Agency	At least two (2), but not more than four (4)
2	Community Working Group	No more than fifteen (15)
3	Community & Partner (general public)	At least three (3) but no more than five (5)

### A. Launch Media Campaign

The Consultant will commence with the Līhu'e Development Plan Update Media Campaign upon approval by the Department. At this point, the project website shall be accessible, with information about the project and meeting dates.

### B. Partner Agency Participation

The Consultant will engage potential partner agencies (points-of-contact) that may be responsible for implementing portions of the final plan update or whose responsibilities and projects may be affected by the final plan update and ordinance(s). The Department will provide Consultant with a list of agencies and initial contacts, to be expanded upon if necessary. Participation by partners will help to ensure that the final plan update considers agencies' goals, objectives and plans relating to the Līhu'e area as well as has the support of these agencies.

The Consultant shall have one (1) initial (facilitated) partner agency meeting prior to the Community and Partner Agency Kick-Off Meeting to meet the following goals:

1. Identify points-of-contact for the LDP Update project and garner a commitment from partner agencies for their participation in the plan update process.
2. Discover existing plans, plan update projects, studies, reports, historic information, or other material relating to the Līhu'e Region that will assist with the development of the draft plan or be essential elements for discussion during community meetings.
3. Discover issues/questions that partner agencies may have that may be explored during the plan update process.
4. Identify gaps and overlaps in information necessary to conduct land use, economic, or other analyses crucial for the successful update of the plan.

Partner agencies will be invited to all meetings and hearings related to the LDP update and act as advisors to the Community Working Group as needed.

The Consultant should expect to have a second facilitated meeting prior to the last Community Working Group meeting, or at least before the first Planning Commission hearing scheduled to consider the adoption of the draft plan and related ordinance(s). The purpose of the final meeting is to allow agencies to review recommended additions/changes to the County Zoning Ordinance or design standards which may affect their policies and plans or be slated for implementation by their agencies, such as through the Capital Improvements Plan. In essence, the purpose of this meeting will be to:

- a. Identify and address policy and design recommendations that may be in conflict with policies or plans of partner agencies.
- b. Gain buy-in for the draft plan and encourage agency support for plan adoption.

**C. Participation by Community, Businesses and Nongovernment Organizations**

The Consultant will make every effort to compile contact lists of residents, businesses and nongovernmental organizations within or with holdings in the Līhu'e area. Līhu'e is also the government seat and economic center of Kaua'i, and as such, invitation to the general public to participate in the update process shall be part of the Media campaign which will commence during Phase II of the project.

Specific meeting details shall be developed by the Consultant as part of the Comprehensive Community Participation Plan. When designing meetings for community and partners as well as for the Community Working Group, Consultant shall:

1. Provide meeting participants with adequate background information and data relating to issues/themes that will be discussed.

2. Provide examples of successful initiatives relating to issues/themes that may be adapted to Līhu'e (region or sub-areas) to become more "sustainable" or "grow smarter."
3. Utilize PowerPoint, maps, and handouts to convey information and meeting goals, and to innovatively solicit input and potential solutions to issues.
4. Use charettes and working-group styles which allow participants to discuss issues and recommendations in both large and hands-on small group formats.
5. To the extent possible, use the project website to provide meeting information to participants before meetings.

#### ***Community Meetings/Charettes***

The Consultant shall take every effort to design community meetings that are educational/informative and interactive or "hands-on." Agendas, maps, handouts, exercise worksheets, questionnaires, and all other materials used should serve to prepare participants to the extent possible to focus on issues/themes and possible solutions which will be used to develop content, maps, and recommendations for the [draft] plan update and ordinance(s). Community meetings/charettes shall be approved as part of the Comprehensive Community Participation Plan, which should be open to modification, if necessary, to meet the goals and objectives of specific meetings and/or the overall project process. Meeting facilitation shall be the responsibility of the Consultant. Arrangements for facilitation shall be approved by the Department.

#### **D. Project Kick-Off Meeting**

The project kick-off meeting will be the "official" commencement of the Community and Partner Agency Participation Process. The purpose of this meeting will be to:

1. Inform the Līhu'e community and public at-large, businesses and nongovernmental organizations of the Līhu'e Development Plan Update project.
2. Provide an overview of the project timeline, goals and objectives, role of the Community Working Group; introduce themes for discussion; and to provide a schedule of meetings according to the Comprehensive Community Participation Plan.
3. Encourage participation by the Līhu'e Community, public at-large, businesses and nongovernmental organizations through the project website, Community Working Group meetings, and other venues according to the Comprehensive Community Participation Plan.

The Consultant shall provide a preliminary agenda for the kick-off meeting as part of the Comprehensive Work Plan, to be expanded upon with details in the Comprehensive Community Participation Plan. Meetings shall be well facilitated.

#### **E. The Community Working Group**

In the past Community Advisory Committees have been appointed to assist the Department to develop draft plans and support the adoptions of plans and policy amendments. For the purposes of this plan update, a *Community Working Group* will be formed to review the draft plan and policy recommendations that are developed through the larger Community and Partner Participation Process. In addition to reviewing the draft plan and recommendations, those participating in the Community Working Group will:

1. Commit to attend working group meetings as scheduled;
2. Assist Consultant and Department to facilitate small group discussions, if necessary during larger community meetings;
3. Support the plan process and update by distributing information and questionnaires to individuals or groups that may have a stake in the process;
4. Support the process by identifying useful information and information sources; and
5. Provide testimony, to be incorporated into the plan itself, ensuring community support of the plan.

There shall be a minimum of twelve (12) but no more than fifteen (15) members of the Community Working Group. Members shall be appointed by the Mayor I. Membership will be limited to residents and stakeholders, such as businesses, landowners, nongovernmental organizations (churches or schools, including the Kaua'i Community College). Partner agency points-of-contacts will act as advisors to the Working Group as needed, for instance, to inform Group members and the Project Team of governmental processes and plans in which they are involved or have expertise in.

The Consultant shall propose to the Department a fair process for selecting Working Group members which will provide for impartial representation of the Līhu'e community and stakeholders.

The Consultant shall consider scheduling at least seven (7), but no more than ten (10) Community Working Group meetings strategically planned to review the results of larger community meetings and to make recommendations for the plan and plan process. Meetings shall be well facilitated.

#### **F. Participation by Elected Officials**

Whenever possible, information about public meetings and hearings shall be forwarded to elected officials of the County of Kaua'i on island and abroad. Elected officials shall be provided with the project website address and if requested, offered project updates, in order to stay involved in the process.

#### **G. Presentations the Kaua'i Planning Commission and County Council**

In addition to the formal public hearings intended to adopt the final plan and ordinance(s), the Consultant shall be prepared to provide an introductory and mid-process presentation to the Planning Commission and County Council. The introductory presentation should be scheduled after the approval of the Comprehensive Work Plan.

### **Phase III. Plan Development and Implementation**

The Consultant shall describe a strategy for developing the draft plan as part of the initial Comprehensive Work Plan. This strategy shall be incorporated into the overall project timeline and include target dates for review by the Project Team, Community Working Group, partners, and community participants/general public. The strategy shall also include a preliminary table of contents, which will serve as an initial template for the draft plan (with an understanding that the organization of contents will change as the process moves forward). In addition to history, demographics, goals, themes, and other topics, the Consultant will consider the types and organization of maps in the strategy.

The final plan must clearly sort out the implementing actions as well as identify and prioritize:

- e. Land use amendments and requirements, including State Land Use changes, as well as General Plan by ordinances for the LDP Update to be consistent;
- f. Other regulatory changes, such as new or existing ordinances or rules that need to be adopted or amended as it is impacted by the LDP Update;
- g. Capital Improvement Project Budgetary items
- h. Community implementation actions

There shall be a separate section in the Final Plan called the *Implementation and Monitoring Plan*. Implementing actions and monitoring that are discussed in relation to corresponding topics throughout the plan shall be clearly described and organized in the Implementation and Monitoring Plan. Recommendations shall be prioritized accordingly, so that immediate actions are feasible within the current budget and responsibilities of identified lead agencies; with strategies provided for accomplishing "elevated" [larger] tasks/changes. The Implementation and Monitoring Plan shall include recommendations for establishing a government-led and community network support systems. Moreover, the Implementation and Monitoring Plan shall identify relations between tasks and potential obstacles to success, and recommend alternate strategies toward achieving goals.

Consultants shall research, prioritize, revise, and recommend models for implementation support mechanisms such as, but not limited to, plan implementation or sustainable communities rating systems.

### Work Products

The following is a list of deliverables anticipated for the LDP Update project. Digital files shall be transmitted via CD, DVD, external port, or via FTP site or internal webpage (accessible to the Project Team). Meeting materials may include but are not limited to: agendas, handouts, transcribes of deliberations captured on newsprint (during large or small group discussions), pictures taken during meetings, and PowerPoint presentations. Meeting results may include but are not limited to: "next steps," and analyses by Consultant (such as rating the process, recommending changes to the process, new themes to explore, and general observances).

1. All public relations materials, including the project "brand," copies of press releases, news articles, and other media-related materials, in digital files (to the extent possible) and hardcopy, dated and organized;
2. Contact list(s) in digital format and at least one (1) hardcopy;
3. Digital files and one (1) hardcopy of the Comprehensive Work Plan;
4. Digital files and one (1) hardcopy summary of all research conducted for project, including statistical data, organized;
5. Digital files and one (1) hardcopy of the Comprehensive Community Participation Plan and Media Campaign;
6. Digital files and one (1) hardcopy of all Community Advisory Group meeting summary minutes, meeting materials, and meeting results;
7. Digital files and one (1) hardcopy of partner agency meetings summary minutes, meeting materials, and meeting results;
8. Digital files and at least two (2) hardcopies of Community and Partner Participation meetings summary minutes, meeting materials, and meeting results. This should include the Kick-Off meeting;
9. Digital files and at least two (2) hardcopies of all draft plans developed through the project process, numbered and dated.
10. Digital file on DVD of all GIS map projects, including shapefiles and raster sets, .MXDs, PDFs, JPEGs, and ArcReader projects. This digital file shall include metadata for all new shapefiles and raster sets created for the project and a list of the contents of the DVD;
11. Digital file on DVD or external port of the final HTML-based project website and all contents, excluding GIS maps (JPEGs, PDFs, and ArcReader projects);
12. The final plan update, on DVD or external port, well organized and indexed that shall include:
  - a. The final plan in Microsoft Word format.
  - b. The final plan in PDF including maps and indexed, which can be easily printed and distributed.
  - c. All images used to create the final plan, organized and indexed in a separate folder.
  - d. All maps used to create the final plan in JPEG format, organized and indexed in a separate folder).

- e. A concluding document, which provides, but is not limited to a description of the project methodology; summary of meetings, deliverables, timelines; and any advisement for implementation or future projects;
- 13. At least one (1) unbound, untabbed hardcopy of the final plan; and
- 14. At least fifty (50) hardcopies of the final plan, bound and tabbed

### Other Considerations

The timeframe for the Līhu'e Development Plan Update project shall be no more than twenty-four (24) months from the execution of the contract. Unavoidable and necessary extensions to the timeframe shall be and discussed with the Department as soon as they are identified. However, the Consultant shall not expect to be provided a project time extension or cannot declare a suspension to the project without the express approval of the Department.

The budget for the Līhu'e Development Plan Update shall be firm. Any incidental costs which Consultant determines should be the responsibility of the Department shall be described as part of the Comprehensive Work Plan and approved by the Department. Unforeseen costs shall be discussed with the Department as soon as they are known, so that the budget can be adjusted accordingly.

The Consultant will be solely responsible for all contracts for sub-consultants they hire to work on various aspects of the process or plan update. However, the Department reserves the right to review the qualifications of sub-consultants considered or hired.

RECEIVED

Bernard P. Carvalho, Jr.  
Mayor

'10 FEB 12 P2:17

Gary K. Heu  
Administrative Assistant

THE COUNTY OF KAUAI  
COUNTY OF KAUAI



RECEIVED

Wallace G. Rezendes, Jr.  
Director of Finance

FEB 11 10:05

Belma A. Baris  
Deputy Director of Finance

OFFICE OF THE MAYOR  
COUNTY OF KAUAI

COUNTY OF KAUAI  
DEPARTMENT OF FINANCE

TO: Honorable Bill 'Kaipo' Asing, Council Chairman  
and Members of the County Council

FROM: Wallace G. Rezendes, Jr., Director of Finance

VIA: Mayor Bernard P. Carvalho, Jr.

DATE: February 11, 2010

SUBJECT: **Period 6 Financial Reports –  
Statement of Revenues As Of  
December 31, 2009**

---

Pursuant to Section 17 and Section 20 of the **OPERATING BUDGET ORDINANCE (B-2009-690)** County of Kauai, the following **Detailed Budget Report, Statement of Revenues (Estimated and Actual), Statement of Expenditures and Encumbrances and Revenue Report** in detail for the month of **December 31, 2009, Period 6** for Fiscal Year 2010 is hereby submitted.

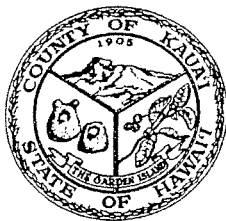
Any inquiries may be directed to Sherri Silva, Central Accounting Analyst at 241-4212.

Enclosures:

- 1) Statement of Revenues –Estimated and Actual (Listing)
- 2) Statement of Expenditures and Encumbrances (Listing)
- 3) Revenue Report (Listing)
- 4) Detail Budget Report (Listing)

C2010-52

Bernard P. Carvalho, Jr.  
Mayor



Gary K. Heu  
Administrative Assistant  
**RECEIVED**  
John Isobe  
Executive Assistant

'10 FEB 12 P4:23

**OFFICE OF THE MAYOR**

County of Kaua'i, State of Hawai'i  
4444 Rice Street, Suite 235, Lihu'e, Hawai'i 96766  
TEL (808) 241-6300 FAX (808) 241-6877

OFFICE OF THE  
THE COUNTY CLERK  
COUNTY OF KAUA'I

**M E M O R A N D U M**

To: The Honorable William "Kaipo" Asing, Chairman and  
Members of the Kaua'i County Council

From: Bernard P. Carvalho, Jr., Mayor

Via: John Isobe, Executive Assistant

Date: February 12, 2010

Subject: **APPOINTMENTS TO BOARDS AND COMMISSIONS FOR THE  
COUNTY OF KAUA'I**

---

I am taking this means to request your favorable consideration and confirmation of the following appointments to various Boards and Commissions for the County of Kaua'i.

**Police Commission**

Mr. James O'Connor 1<sup>st</sup> complete term ending 12/31/12

The application forms for each of the above named appointees are attached.

Please contact the Office of Boards and Commissions or myself if you have any questions.

Thank you.

Attachments:

cc (without attachments):  
Darryl Perry, Police Department

C 2010 - 53



# POLICE DEPARTMENT COUNTY OF KAUAI



**BERNARD J. CARVALHO, JR.**  
Mayor

3990 KAANA STREET, SUITE 200  
LIHUE, HAWAII 96766-1268  
TELEPHONE (808) 241-1600  
FAX (808) 241-1604

**DARRYL D. PERRY**  
Chief of Police

**GARY K. HEU**  
Administrative Assistant

**MARK N. BEGLEY**  
Deputy Chief

January 28, 2010

Chairman Bill "Kaipo" Asing  
and Council members  
KAUAI COUNTY COUNCIL  
4396 Rice Street, Room 206  
Lihue, HI, 96766

RECEIVED  
THE CLERK  
COUNTY OF KAUAI

10 FEB 12 P2:18

RECEIVED

RE: ACCOUNT #206-1001-551.30-00, POLICE SPECIAL FUND

Dear Chairman Asing and Council members:

The Kauai Police Department requests your approval to expend approximately three hundred thousand dollars (\$300,000.00) from the Police Special Fund account, #206-1001-551.30-00. These funds will be used to purchase a new building, furniture, equipment, storage containers, surveillance equipment, fencing and utility connection costs to replace the current Kapaa Substation. We have outgrown the current Kapaa Substation, which is approximately 350 square feet and require more space for operations. This new building will give us approximately 1,440 square feet and will help us improve our operations and service to the community as well as provide a better working environment for our officers.

Should you have any questions or require further information, please feel free to contact Lieutenant Michael Contrades at 826-6214 or [mcontrades@kauai.gov](mailto:mcontrades@kauai.gov).

Sincerely,

Darryl D. Perry  
Chief of Police

Approved:

BERNARD P. CARVALHO, JR. Date  
Mayor

Concur:

WALLACE REZENTES, JR. Date  
Finance Director



**BERNARD J. CARVALHO, JR.**  
Mayor

**GARY K. HEU**  
Administrative Assistant

# POLICE DEPARTMENT COUNTY OF KAUAI

3990 KAANA STREET, SUITE 200  
LIHUE, HAWAII 96766-1268  
TELEPHONE (808) 241-1600  
FAX (808) 241-1604



ADDRESS ALL  
COMMUNICATIONS TO  
**DARRYL D. PERRY**  
Chief of Police

**MARK N. BEGLEY**  
Deputy Chief

## Estimated Cost Kapaa Substation Project

1.	Prefabricated Building (24 ft x 60 ft)	\$220,000.00
2.	Porch & Deck w/ADA ramp	\$ 10,000.00
3.	(2) Steel Storage Containers	\$ 10,000.00
4.	Furniture	\$ 20,000.00
5.	Surveillance System	\$ 10,000.00
6.	Utilities Connection	\$ 10,000.00
7.	Fencing	\$ 20,000.00
	<b>TOTAL</b>	<b><u>\$300,000.00</u></b>

The cost of the prefabricated building would include required architectural and engineering plans for the permitting process.

The Kauai Police Department is in the process of acquiring a vacant property from the State Department of Land and Natural Resources for placement of the new Kapaa Substation. The property would be given to the County of Kauai for use by the Kauai Police Department through Executive Order. The property is located near the current Kapaa Substation and is .1793 acres or 7,810 square feet. The address of the parcel of land is 1390 Inia Street, Kapaa and the Tax Map Key Number is (4)-4-5-011:007. There would be no cost for the acquisition of the property.

An aerial photograph is attached for your perusal.

Proposed Location for the Temporary Kapaa Substation  
1390 Inia Street, Kapaa



Bernard P. Carvalho, Jr.  
Mayor

Eugene K. Jimenez  
Housing Director



Gary K. Heu  
Administrative Assistant

KAUAI COUNTY HOUSING AGENCY  
Pi'ikoi Building 4444 Rice Street Suite 330  
Lihue Hawaii 96766

RECEIVED  
THE BOARD OF  
COUNTY OFFICIALS

10 FEB 12 P2:19

RECEIVED

February 3, 2010

Honorable Chair Bill "Kaipo" Asing  
And Council members  
Kaua'i County Council  
4396 Rice Street  
Lihu'e, Kaua'i, Hawai'i 96766

Attention: Economic Development/Housing Committee Chair Dickie Chang

Dear Chair Asing:

SUBJECT: Request to Decline Repurchase of Unit No. 13, Villas at Puali

Per Ordinance No. PM 2005-372, the buyback requires a repurchase price of \$366,700.00 (cost plus interest at 4.3% which is the rate change in the Honolulu CPI) or at market value, which ever is less. A Repurchase Disclosure Schedule is attached. It is not clear if a real estate appraisal would estimate value above or below the repurchase determined on the Disclosure Schedule. Either way, the price is at or near market value and no affordable housing objective will be achieved in repurchasing the property. At this time, the Housing Agency recommends declining the repurchase and granting the owner a one-year waiver of the buyback to allow a market sale by the owner.

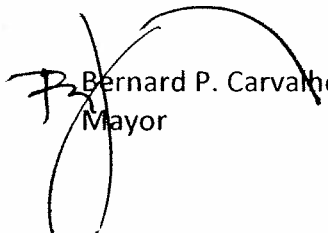
The Housing Agency requests the approval of the Kaua'i County Council to decline it's option to repurchase Unit No. 13 Villas at Puali, located at 1936 Hokunui Place, Lihu'e, Hawai'i 96766 and permit market sale of the unit for a period of one-year.

Thank you for your consideration of this matter.

Sincerely,

  
Eugene K. Jimenez  
Housing Director

APPROVED:

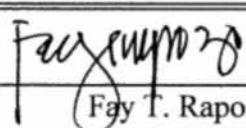
  
Bernard P. Carvalho, Jr.  
Mayor

EKJ/ptr



**REPURCHASE DISCLOSURE SCHEDULE**  
**KAUAI COUNTY HOUSING AGENCY**

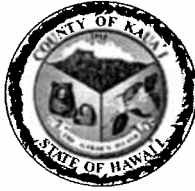
Document Preparation Date February 3, 2010  
 Anticipated Closing Date 2/28/2010

Owner :		Lot No :	13
Project :	Villas at Puali	Lot Size :	
Address :	1936 Hokunui Place, #13	TMK :	4.3.3003.039.0013
	Lihu'e, Hawai'i 96766		
12/6/06	Recording Date Of Original Sale	Inspected :	
2/28/2010	Estimated Closing Date of Repurchase	By :	
1180	Days of Ownership Period		
1. ORIGINAL PURCHASE PRICE		317,591.49	
2. ORIGINAL SALE CLOSING COSTS :			
a.	Escrow Fee & Notary	\$	763.72
b.	Recording Fees	\$	230.00
c.	Title Insurance	\$	1,350.00
d.	Document Preparation Fees	\$	1,060.42
e.	Tax Service Fee		
f.	Appraisal Fee to FmHA	\$	625.00
g.	Mortgage Recording Fee/HHRF		
h.	Conveyance Tax	\$	317.60
i.		\$	4,346.74
3. COST OF CAPITAL IMPROVEMENTS ADDED - See Page 2		None	
4. MORTGAGE BALANCE:			
	Principal	\$	327,000.00
	Interest & Late Fees		
	Sudsidy Recapture		
		\$	327,000.00
5. SIMPLE INTEREST @		4.30% PER YEAR	
a.	Cost of Original Sale (Lines 1 & 2) .....	\$	44,753.82
b.	Improvements Added (Line 3) .....	\$	-
	ESTIMATED CASH EQUITY :	\$	39,700.00
6. TOTAL REPURCHASE PRICE		\$	366,692.05
COUNTY OF KAUAI :		say,	\$ 366,700.00
Prepared By		FEB 3 - 2010	Date
SELLER'S ACCEPTANCE OF REPURCHASE PRICE :			
Seller	N/A - for financing purposes only		Date

C2010-55'

**Bernard P. Carvalho, Jr.**  
Mayor

**Eugene K. Jimenez**  
Housing Director



**Gary K. Heu**  
Administrative Assistant

**KAUAI COUNTY HOUSING AGENCY**  
Pi'ikoi Building 4444 Rice Street Suite 330  
Lihue Hawaii 96766

February 3, 2010

Honorable Chair Bill "Kaipo" Asing  
And Council members  
Kaua'i County Council  
4396 Rice Street  
Lihue, Kaua'i, Hawai'i 96766

RECEIVED  
10 FEB 12 P2:19  
OFFICE OF THE  
COUNTY CLERK  
THE COUNTY OF KAUAI

Attention: Economic Development/Housing Committee Chair Dickie Chang

Dear Chair Asing:

SUBJECT: Request to Decline Repurchase of Unit No. 101, Hookena at Puhi

The owners of the Unit No. 101 at Hookena at Puhi, located in Puhi at 2080 Manawalea Street, Lihue, Hawai'i 96766, purchased a 3-bedroom, 2 bath single family attached CPR unit on August 28, 2007 for \$314,624.00. Due to irreconcilable differences, the family can no longer keep the unit and are requesting the County allow the sale of the unit on the open market.

Attached is a Repurchase Disclosure Schedule that calculates the repurchase price at \$324,100.00. Pursuant to the Housing Agency's affordable for sale housing prices, this price would be affordable to households earning approximately one-hundred forty percent (140%) of Kaua'i's median household income.

The Housing Agency recommends that the County not exercise its repurchase right to buyback this property and that the Housing Agency issue the owners a one-year waiver of the County's repurchase right effective the date of the Council's decision. Such waiver provides the owner the ability to sell the unit on the open market for a one-year period. The Housing Agency's recommendation to decline repurchase is based on the affordability level of this unit and that we believe our repurchase price is too close to market value.

The Housing Agency requests that the Council decline its option to repurchase Unit No. 101 Hookena at Puhi, located at 2080 Manawalea Street, Lihue, Hawai'i 96766 and permit market sale of the unit for a period of one-year.

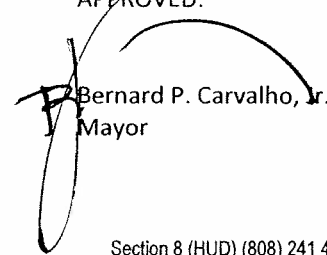
Thank you for your consideration of this matter.

Sincerely,

  
Eugene K. Jimenez  
Housing Director

EKJ/ft

APPROVED:


  
Bernard P. Carvalho, Jr.  
Mayor



C 2010-56

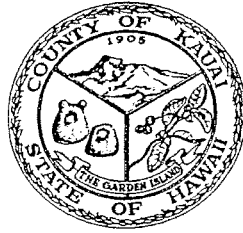
**REPURCHASE DISCLOSURE SCHEDULE**  
**KAUAI COUNTY HOUSING AGENCY**

Document Preparation Date February 3, 2010  
 Anticipated Closing Date 2/28/2010

Owner :		Lot No :	101
Project :	Hookena at Puhi	Lot Size :	
Address :	2080 Manawalea Street, #101	TMK :	4.3.3.003.036.0001
	Līhu'e, Hawai'i 96766		
8/28/07	Recording Date Of Original Sale	Inspected :	
2/28/2010	Estimated Closing Date of Repurchase	By :	
915	Days of Ownership Period		
1. ORIGINAL PURCHASE PRICE			314,624.00
2. ORIGINAL SALE CLOSING COSTS :			
a.	Escrow Fee & Notary	\$	608.53
b.	Recording Fees	\$	125.00
c.	Title Insurance	\$	400.00
d.	Document Preparation Fees	\$	100.00
e.	Tax Service Fee		
f.	Appraisal Fee to FmHA		
g.	Mortgage Recording Fee/HHRF		
h.	Conveyance Tax	\$	314.60
i.		\$	1,548.13
3. COST OF CAPITAL IMPROVEMENTS ADDED - See Page 2			None
4. MORTGAGE BALANCE:			
	Principal	\$	310,863.10
	Interest & Late Fees		
	Sudsidy Recapture		
		\$	310,863.10
5. SIMPLE INTEREST @		1.00% PER YEAR	
a.	Cost of Original Sale (Lines 1 & 2) .....	\$	7,925.96
b.	Improvements Added (Line 3) .....	\$	-
		\$	7,925.96
	ESTIMATED CASH EQUITY :	\$	13,236.90
6. TOTAL REPURCHASE PRICE			\$ 324,098.09
COUNTY OF KAUAI :			say, \$ 324,100.00
Prepared By	 Fay T. Rapozo	FEB 3 - 2010	Date
SELLER'S ACCEPTANCE OF REPURCHASE PRICE :			
Seller	N/A - for financing purposes only		Date

**COUNTY COUNCIL**

Bill "Kaipo" Asing, Chair  
Jay Furfaro, Vice Chair  
Tim Bynum  
Dickie Chang  
Daryl W. Kaneshiro  
Lani T. Kawahara  
Derek S. K. Kawakami



**Council Services Division**  
4396 Rice Street, Room 206  
Līhu'e, Kaua'i, Hawai'i 96766-1371

**OFFICE OF THE COUNTY CLERK**

Peter A. Nakamura, County Clerk

RECEIVED

Telephone (808) 241-6371

Fax (808) 241-6349

Email [cc@countyofkauai.gov](mailto:cc@countyofkauai.gov)

RECEIVED  
THE COUNTY CLERK  
COUNTY OF KAUA'I

February 10, 2010

The Honorable Bill "Kaipo" Asing  
Chair, and Members of the County Council  
County of Kaua'i  
Līhu'e, Hawai'i 96766

Chair and Members:

Pursuant to Section 23.06, Charter of the County of Kaua'i, we transmit a claim filed against the County of Kaua'i by Germaine J. Solano for personal injury, medical expenses, and pain and suffering.

A copy has been sent in advance to the County Attorney's Office.

Very truly yours,

PETER A. NAKAMURA  
County Clerk

Enclosure

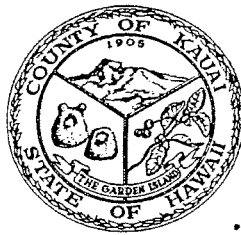
cc: County Attorney

Germaine J. Solano

C 2010-51

COUNTY COUNCIL

Bill "Kaipo" Asing, Chair  
Jay Furfaro, Vice Chair  
Tim Bynum  
Dickie Chang  
Daryl W. Kaneshiro  
Lani T. Kawahara  
Derek S. K. Kawakami



OFFICE OF THE COUNTY CLERK

RECEIVED

Peter A. Nakamura, County Clerk

'10 FEB 18 P2:09

Telephone (808) 241-6371

(808) 241-6349

Email [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov)

Council Services Division  
4396 Rice Street, Room 206  
Līhu'e, Kaua'i, Hawai'i 96766-1371

February 18, 2010

The Honorable Bill "Kaipo" Asing  
Chair, and Members  
of the County Council  
County of Kaua'i  
Līhu'e, Hawai'i 96766

Chair and Members:

Pursuant to Section 23.06, Charter of the County of Kaua'i, we transmit a claim filed against the County of Kaua'i by St. Theresa School for damage to their vehicle.

A copy has been sent in advance to the County Attorney's Office.

Very truly yours,

PETER A. NAKAMURA  
County Clerk

Enclosure

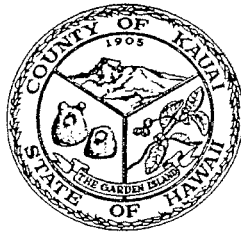
cc: County Attorney

St. Theresa School

C2010-5B

**COUNTY COUNCIL**

Bill "Kaipo" Asing, Chair  
Jay Furfaro, Vice Chair  
Tim Bynum  
Dickie Chang  
Daryl W. Kaneshiro  
Lani T. Kawahara  
Derek S. K. Kawakami



**Council Services Division**  
4396 Rice Street, Room 206  
Lihu'e, Kaua'i, Hawai'i 96766-1371

**OFFICE OF THE COUNTY CLERK**

**RECEIVED**  
Peter A. Nakamura, County Clerk

'10 FEB 19 P 3:21  
Telephone (808) 241-6371  
Fax (808) 241-6349  
Email [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov)

THE  
BOOK

February 19, 2010

The Honorable Bill "Kaipo" Asing  
Chair, and Members  
of the County Council  
County of Kaua'i  
Lihu'e, Hawai'i 96766

Chair and Members:

Pursuant to Section 23.06, Charter of the County of Kaua'i, we transmit a claim filed against the County of Kaua'i by Richard Hoepfner for damage to his vehicle.

A copy has been sent in advance to the County Attorney's Office.

Very truly yours,

PETER A. NAKAMURA  
County Clerk

Enclosure

cc: County Attorney

Mr. Richard Hoepfner

C 2010-59

AN EQUAL OPPORTUNITY EMPLOYER

COUNTY COUNCIL

COUNTY OF KAUA'I

# Resolution

## RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE POLICE COMMISSION

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

SECTION 1. Pursuant to Section 23.02 of the Kaua'i County Charter, the Kaua'i County Council hereby approves the following mayoral appointment as follows:

POLICE COMMISSION (3-Year Term)

Term Expires

James Raymond O'Connor

12/31/2012

SECTION 2. This resolution shall take effect upon its approval.

SECTION 3. The County Clerk shall transmit a copy of this resolution to the Boards and Commissions Office and the Police Department for appropriate distribution.

Introduced by:

*Bill "Kaipo" Asing*  
BILL "KAIPO" ASING  
(By Request)

V:\CS OFFICE FILES\RESOLUTIONS\2010-28 O'Connor Police commission.doc(LP)

	Aye	Nay	Exc	Recused
Asing				
Bynum				
Chang				
Furfaro				
Kaneshiro				
Kawahara				
Kawakami				
Total				

### Certificate Of Adoption

We hereby certify that Resolution No. \_\_\_\_\_ was adopted by the Council of the County of Kaua'i, State of Hawaii, Lihu'e, Kaua'i, Hawaii, on

\_\_\_\_\_  
County Clerk  
Dated

\_\_\_\_\_  
Chairman & Presiding Officer

Resolution No. 2010-28

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_

A BILL FOR AN ORDINANCE  
TO AMEND ORDINANCE NO. B-2009-690, AS AMENDED,  
RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I,  
STATE OF HAWAI'I FOR THE FISCAL YEAR JULY 1, 2009 THROUGH  
JUNE 30, 2010 BY REVISING THE OPERATING BUDGET OF THE  
OFFICE OF THE COUNTY AUDITOR IN THE GENERAL FUND

---

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I:

SECTION 1. That pursuant to Sec. 19.07B of the Charter of the County of Kaua'i, as amended, Ordinance No. B-2009-690, as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawai'i, for the fiscal year July 1, 2009 through June 30, 2010, be hereby amended as follows:

The sum of \$16,444.00 be and is hereby transferred from the item designated as follows:

Office of the County Auditor

001-0203-511.32-00 Consultant Services \$16,444.00

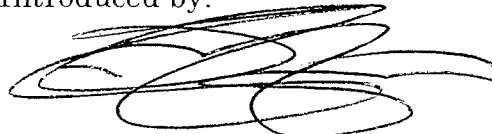
to the:

Office of the County Auditor

001-0203-511.41-01 Building Lease \$16,444.00

SECTION 2. This ordinance shall take effect upon its approval.

Introduced by:



Jay Furfaro  
(By request)

Date of Introduction:

Līhu'e, Kaua'i, Hawai'i