

**COUNCIL MEETING NOTICE AND AGENDA**  
**WEDNESDAY, OCTOBER 10, 2018**  
**8:30 A.M. OR SOON THEREAFTER**  
COUNCIL CHAMBERS  
HISTORIC COUNTY BUILDING  
4396 RICE STREET, SUITE 201  
LIHU'E, KAUA'I, HAWAII 96766

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. CONSENT CALENDAR:

1. [C 2018-217](#) Communication (09/20/2018) from the Director of Finance, transmitting for Council information, the following reports:
  1. County of Kaua'i Bond Summary of General Long-Term Debt Amount Outstanding as of July 1, 2017;
  2. County of Kaua'i Bond Supplemental Summary of General Long-Term Debt Amount Outstanding as of June 30, 2018; and Excluded County of Kaua'i Bond Supplemental Summary of Long-Term Debt Amount Outstanding as of June 30, 2017: CFD No. 2008-1 (Kukui'ula Development Project) Special Tax Bonds, Series 2012, sold April 25, 2012.
  
2. [C 2018-218](#) Communication (10/02/2018) from Councilmember Yukimura, transmitting for Council consideration, a Resolution Expressing The County Of Kaua'i's Commitment To The Paris Agreement Relating To Climate Change. (***See Resolution No. 2018-35***)

E. COMMUNICATION:

1. [C 2018-219](#) Communication (09/18/2018) 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 2019 HSAC Legislative Package, which were approved by the HSAC Executive Committee on September 17, 2018:

## 2019 HSAC Legislative Package Proposals:

1. A Resolution Urging The State Legislature To Appropriate Funding For Lifeguards At Kua Bay (*HSAC*)
2. A Bill For An Act Relating To Motor Vehicle Driver's License And Civil Identification Cards (*Honolulu City Council*)
3. A Bill For An Act Relating to Tobacco Products (*Honolulu City Council*)
4. A Bill For An Act Relating To Tort Liability (*County of Kaua'i*)
5. A Bill For An Act Relating To Taxation, Disability Hire Tax Credit (*County of Kaua'i*)
6. A Bill For An Act Relating To Taxation, Elderly Individual Hire Tax Credit (*County of Kaua'i*)
7. A Bill For An Act Relating Zoning (*County of Kaua'i*)
8. A Bill For An Act Relating To Unadjudicated Traffic Fines (*County of Kaua'i*) (***See Resolution No. 2018-36***)

F. LEGAL DOCUMENTS:

1. [C 2018-220](#) Communication (08/16/2018) from the Housing Director, recommending Council approval of a Waiver, Release and Indemnity Agreement for Tax Map Key (TMK) No. (4) 2-6-004:019 between the County of Kaua'i, Koa'e Workforce Housing, L.P. and Jafefe, LLC. The purpose of this agreement is to have the County of Kaua'i and Koa'e Workforce Housing, L.P. waive, release, and indemnify the Department of Water from any liability for injuries or damages that might arise during construction activities on the property as part of the permitting process, and to authorize the County Clerk to sign legal documents related to the Waiver, Release and Indemnity Agreement with the Department of Water.

- Waiver, Release, and Indemnity Agreement

2. [C 2018-221](#) Communication (09/04/2018) from the Housing Director, recommending Council approval of a Declaration of Covenants and Restrictions by the County of Kauaʻi and Kalepa Village Partners, a Hawaiʻi Limited Partnership by its General Partner Kauaʻi Housing Development Corporation, LLC a Hawaiʻi Limited Liability Company, by its Manager Kauaʻi Housing Development Corporation, a Hawaiʻi nonprofit Corporation, for Kalepa Village Phase 2B, Tax Map Key (TMK) No. (4) 3-8-002-023, Līhuʻe, Kauaʻi, Hawaiʻi, and to authorize the County Clerk to sign legal documents related to the Declaration of Covenants and Restrictions for Kalepa Village Phase 2B.

- Declaration of Covenants and Restrictions

3. [C 2018-222](#) Communication (09/18/2018) from the Fire Chief, requesting Council approval of the indemnification provisions contained in the Department of Education Application for Use of School Buildings, Facilities, or Grounds relating to: Hanalei, Kīlauea, Kōloa, Kalāheo, and ʻEleʻele Elementary Schools; Kapaʻa, Waimea, and Kauaʻi High Schools; and Waimea Canyon and Kapaʻa Middle Schools, to conduct the Community Emergency Response Training (CERT) program.

#### G. CLAIMS:

1. [C 2018-223](#) Communication (09/17/2018) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Bob N. Vegas, Sr. and Angeline Vegas, for property damage, pursuant to Section 23.06, Charter of the County of Kauaʻi.
2. [C 2018-224](#) Communication (09/17/2018) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Farmers Insurance Company of Washington, as subrogee of James Marino, for damages to their vehicle, pursuant to Section 23.06, Charter of the County of Kauaʻi.
3. [C 2018-225](#) Communication (09/19/2018) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by I. Scott Mattoch of the Law Offices of Ian Mattoch for Trevor Wright, for personal injury, pursuant to Section 23.06, Charter of the County of Kauaʻi.

H. RESOLUTIONS:

1. [Resolution No. 2018-35](#) – RESOLUTION EXPRESSING THE COUNTY OF KAUAI'S COMMITMENT TO THE PARIS AGREEMENT RELATING TO CLIMATE CHANGE

2. [Resolution No. 2018-36](#) – RESOLUTION APPROVING PROPOSALS FOR INCLUSION IN THE 2019 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE

I. ADJOURNMENT.

J. PUBLIC HEARING NOTE: If the Council is not finished with this meeting by approximately 1:30 p.m., it will recess for a public hearing on the following. After the public hearing, the Council will reconvene to complete any unfinished business.

*[\*For complete information, including a summary of the item, please refer to the official Notice of Public Hearing. The official Notice of Public Hearing has been published, posted on the bulletin board, and filed at the Office of the County Clerk as required by law. Notwithstanding this Council Agenda, the Council may hold a public hearing on any item which has been posted in advance in compliance with the Sunshine Law.]*

**For a copy of the notice, please go to: <http://www.kauai.gov/Council/PublicHearings>**

1. [Bill No. 2720](#) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 23, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO SUNSHINE MARKETS
2. [Bill No. 2722](#) – A BILL FOR AN ORDINANCE AUTHORIZING THE PROCUREMENT OF THE SERVICES OF A CONTRACT AUDITOR AND APPROVING A CONTRACT FOR A CONTRACT AUDITOR FROM APPROPRIATIONS OF A LATER FISCAL YEAR FOR MORE THAN ONE FISCAL YEAR

K. 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, SUITE 209, LIHU'E, KAUAI, HAWAII 96766. TELEPHONE NO. (808) 241-4188. FACSIMILE NO. (808) 241-6349.

**\*TO VIEW MEETINGS OR MEETING ARCHIVES, PLEASE VISIT: [WWW.KAUAI.GOV/WEBCASTMEETINGS](http://WWW.KAUAI.GOV/WEBCASTMEETINGS).**