

**COUNTY COUNCIL**

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Mason K. Chock  
Arryl Kaneshiro  
Derek S.K. Kawakami  
JoAnn A. Yukimura



**OFFICE OF THE COUNTY CLERK**

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**MEMORANDUM**

October 10, 2018

**TO:** Bernard P. Carvalho, Jr., Mayor  
**FROM:** Mel Rapozo, Council Chair *MR*  
**RE:** **OCTOBER 10, 2018 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its October 10, 2018 Council Meeting:

**CONSENT CALENDAR:**

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. ***(Received for the Record.)***

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. ***(Received for the Record.)***

**COMMUNICATION:**

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 (*County of Hawai'i*)
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 To Zoning (*County of Kaua'i*)
8. A Bill For An Act Relating To Unadjudicated Traffic Fines (*County of Kaua'i*) **(Received for the Record.)**

LEGAL DOCUMENTS:

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 Jafeffe, 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 **(Approved.)**

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 Kaua'i and Kalepa Village Partners, a Hawai'i Limited Partnership by its General Partner Kaua'i Housing Development Corporation, LLC a Hawai'i Limited Liability Company, by its Manager Kaua'i Housing Development Corporation, a Hawai'i nonprofit Corporation, for Kalepa Village Phase 2B, Tax Map Key (TMK) No. (4) 3-8-002-023, Lihu'e, Kaua'i, Hawai'i, 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 **(Approved.)**

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 'Ele'ele Elementary Schools; Kapa'a, Waimea, and Kaua'i High Schools; and Waimea Canyon and Kapa'a Middle Schools, to conduct the Community Emergency Response Training (CERT) program. **(Approved.)**

CLAIMS:

C 2018-223 Communication (09/17/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Bob N. Vegas, Sr. and Angeline Vegas, for property damage, 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.)**

C 2018-224 Communication (09/17/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i 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 Kaua'i. **(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)**

C 2018-225 Communication (09/19/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i 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 Kaua'i. **(Referred to the Office of the County Attorney for disposition and/or report back to the Council.)**

RESOLUTIONS:

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

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