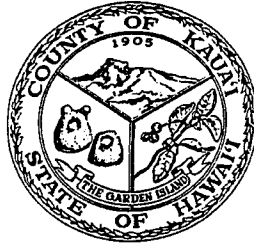


COUNTY COUNCIL

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



OFFICE OF THE COUNTY CLERK

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

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

MEMORANDUM

October 25, 2018

TO: Bernard P. Carvalho, Jr., Mayor
FROM: Mel Rapozo, Council Chair *MR*
RE: **OCTOBER 24, 2018 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its October 24, 2018 Council Meeting:

CONSENT CALENDAR:

C 2018-226 Communication (10/01/2018) from the First Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from July 1, 2018 through September 30, 2018. *(Received for the Record.)*

COMMUNICATIONS:

C 2018-227 Communication (10/03/2018) from the First Deputy County Attorney, requesting authorization to expend additional funds up to \$200,000.00 from the Claims and Judgments account in the litigation of Michael Sheehan Kocher, Sr., et al. vs. Kaua'i Police Department, et al., Civil No. 16-1-0108 (Fifth Circuit Court), and related matters. *(Approved.)*

C 2018-228 Communication (10/04/2018) from Council Vice Chair Kagawa, transmitting for Council consideration, a Proposed Draft Bill to amend Section 5A-1.1 of the Kaua'i County Code, as amended, relating to Real Property Tax, by adding the definition of "claim," to prevent the potential reset of real property tax benefits as a result of a death when the surviving relative was also on the title of the property. *(Received for the Record.)*

Council Meeting Follow-up Memorandum to the Mayor

October 25, 2018

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C 2018-229 Communication (10/05/2018) from the Emergency Management Administrator, requesting Council approval to receive and expend State funds, in the amount of \$780,000.00, from the United States Department of Homeland Security, via State of Hawai'i Department of Defense, to be used to enhance the capability of State and local units of government to prevent, deter, respond to, and recover from threats and incidents of terrorism, as well as "all hazards" catastrophic preparedness initiatives. ***(Approved.)***

C 2018-230 Communication (10/09/2018) from the Executive on Aging, requesting Council approval to receive and expend State General Funds for Fiscal Year 2019 and to indemnify the State Executive Office on Aging, in the amount of \$72,790.00 to be used by the County of Kauai, Agency on Elderly Affairs for the operating costs of the Aging and Disability Resource Center, which includes consultant services, inter-island travel, travel expenses for national conferences, postage, printing of a resource directory, online training programs, promotional items, replacement of electronic equipment, and supplies. ***(Approved.)***

C 2018-231 Communication (10/09/2018) from Adam P. Roversi, Deputy County Attorney, requesting Council approval of the indemnification provision contained in the Terms of Service Agreement for Logikcull, a cloud based eDiscovery software provider, to help streamline the Office of the County Attorney's discovery process making it both more efficient and reliable.

- Terms of Service Agreement
(Approved.)

C 2018-232 Communication (10/12/2018) from Council Chair Rapozo, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 15, Article 4, Kaua'i County Code 1987, As Amended, Relating To Outdoor Signs, to allow nonprofit organizations to post temporary outdoor signs relating to their upcoming events without the requirement of a signage permit. ***(Received for the Record.)***

C 2018-233 Communication (10/15/2018) from the Emergency Management Administrator, requesting Council approval to accept a donation from the Federal Emergency Management Agency (FEMA), of 34 pallets of Aqua Liters emergency drinking water, for a total of 2,550 cases or 30,600 liters of water, valued at \$46,240 based on online pricing. ***(Approved with thank-you letter to follow.)***

C 2018-234 Communication (10/16/2018) from Councilmember Yukimura and Council Chair Rapozo, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 7A, Kaua'i County Code 1987, As Amended, Relating To Affordable Housing Preservation, to preserve the affordability of housing developed with public (taxpayer) moneys or required by State or County zoning and planning laws. ***(Received for the Record.)***

LEGAL DOCUMENT:

C 2018-235 Communication (10/12/2018) from the Housing Director, recommending Council approval of a Dwelling Unit Revolving Fund (DURF) Loan Agreement and Loan Documents, in the amount of up to \$13,000,000.00, between the County of Kaua'i and the Hawai'i Housing Finance and Development Corporation (HHFDC), to fund the infrastructure improvements for Lima Ola Workforce Housing Development Phase I, and to authorize the County Clerk to sign the following legal documents related to the DURF Loan:

- Loan Agreement;
- Mortgage, Security Agreement, and Financing Statement;
- Note;
- Hazardous Materials Agreement; and
- Monitoring Agreement
(*Approved.*)

CLAIM:

C 2018-236 Communication (10/03/2018) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Lisa Bargayo-Camalliri, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. (*Referred to the Office of the County Attorney for disposition and/or report back to the Council.*)

COMMITTEE REPORTS: APPROVED.

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2723) – A BILL FOR AN ORDINANCE TO AMEND SECTION 5A-1.1 OF THE KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Approved on 1st reading, Public Hearing scheduled for November 14, 2018, and referred to the Budget & Finance Committee.*)

Proposed Draft Bill (No. 2724) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 15, ARTICLE 4, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO OUTDOOR SIGNS (*Approved on 1st reading, Public Hearing scheduled for November 14, 2018, and referred to the Public Works / Parks & Recreation Committee.*)

Proposed Draft Bill (No. 2725) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 7A, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO AFFORDABLE HOUSING PRESERVATION (*Approved as Amended on 1st reading, Public Hearing scheduled for November 14, 2018, and referred to the Community Assistance & Veterans Services Committee.*)

BILLS FOR SECOND READING:

Bill No. 2719 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO AGRICULTURE DISTRICTS (ZA-2014-4) (*County of Kauai Planning Department, Applicant*) (*Received for the Record.*)

Bill No. 2720 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 23, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO SUNSHINE MARKETS (*Approved.*)

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 (*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*)