Effective January 1, 2022, Act 220, Session Laws of Hawai‘i (SLH) 2021 adds a new option to the Sunshine Law that allows boards to hold remote meetings via interactive conference technology (ICT), such as online meeting platforms, teleconferences, videoconference, and voice over internet protocol.

Pursuant to Act 220, SLH 2021, the meetings of the Kaua‘i County Council will be conducted as follows until further notice:

- Meetings will be noticed pursuant to Hawai‘i Revised Statutes (HRS) Chapter 92.
- Councilmembers and/or resource individuals may appear via remote technology.
- The meeting will be live streamed and also available as an archived meeting after completion, at www.kauai.gov/webcastmeetings. Captions will be provided. Please note video production services or enhancements will not be available.
- Written testimony may be submitted on any agenda item and is appreciated at least one (1) hour prior to the meeting. Written testimony may be submitted to counciltestimony@kauai.gov, sent via facsimile to (808) 241-6349, or mailed to the Office of the County Clerk, Council Services Division at 4396 Rice Street, Suite 209, Līhu‘e, Hawai‘i 96766. Any testimony received after this time will be incorporated into the record as appropriate.

- Oral testimony will be taken in-person or via the Zoom remote technology platform. It shall be the responsibility of the testifier to ensure that the Zoom software is downloaded prior to the meeting. It is recommended that anyone interested in providing oral testimony provide a request to the Office of the County Clerk, Council Services Division at least one (1) hour prior to the meeting to cokcouncil@kauai.gov or by calling (808) 241-4188 during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, excluding holidays). This request shall include your name, telephone number, E-mail address, and the specific agenda item(s) that you will be testifying on. After oral testimony has been taken, members of the public may continue watching the meeting via the livestream link found at www.kauai.gov/webcastmeetings or may listen to the meeting on the oral testimony Zoom link that can be accessed at https://tinyurl.com/KauaiCountyCouncil040622.
  - Video: Meeting ID 826 0831 7821; Passcode: 7M2p50
  - Dial-In: +1 253 215 8782; Meeting ID 826 0831 7821; Passcode: 700344
- All accommodations pursuant to Act 220, SLH 2021 shall be submitted to the Office of the County Clerk, Council Services Division as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Requests can be made via E-mail to cokcouncil@kauai.gov or by calling (808) 241-4188 during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, excluding holidays).
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Council’s website upon completion and approval.
A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. MINUTES of the following meetings of the Council:

1. March 23, 2022 Council Meeting
2. March 23, 2022 Public Hearings re: Bill No. 2845, Bill No. 2846, Bill No. 2847, Bill No. 2848, and Bill No. 2849

E. CONSENT CALENDAR:

1. **C 2022-68** Communication (03/18/2022) from the Housing Director, transmitting for Council consideration, a Resolution Authorizing The Filing Of The Kaua‘i County 2022 Action Plan (Community Development Block Grant) With The Department Of Housing And Urban Development, United States Of America, For A Grant Under Title I Of The Housing And Community Development Act Of 1974 And 1987 (Public Laws 93-383 And 100-242), As Amended. *(See Resolution No. 2022-15)*

3. **C 2022-70** Communication (03/23/2022) from Councilmember Kuali‘i, providing written disclosure of a possible conflict of interest and recusal relating to Bill No. 2851, the Mayor’s Proposed Operating Budget for Fiscal Year 2022-2023, regarding the appropriation to Sexual Assault/Domestic Violence Community Program in the Office of Economic Development – Administration, Grant-In-Aid, as he is the Director of Operations for the YWCA of Kaua‘i, a potential applicant for these funds.

4. **C 2022-71** Communication (03/23/2022) from Council Chair Kaneshiro, providing written disclosure of a possible conflict of interest and recusal relating to Bill No. 2851, the Mayor’s Proposed Operating Budget for Fiscal Year 2022-2023, regarding the appropriation to Kaua‘i Soil Conservation in the Department of Public Works – Administration, Grant-In-Aid, as he is the Director for the East Kaua‘i Soil & Water Conservation District.

5. **C 2022-72** Communication (03/23/2022) from Council Vice Chair Chock, providing written disclosure of a possible conflict of interest and recusal relating to Bill No. 2851, the Mayor’s Proposed Operating Budget for Fiscal Year 2022-2023, regarding the appropriation for Leadership Development & Training in the Office of the Mayor – Administration, as he is a volunteer and facilitator for the annual Leadership Kaua‘i adult class. Additionally, Leadership Kaua‘i and his company, Kupu a‘e Leadership Development, are partners in leadership initiatives on Kaua‘i.

6. **C 2022-73** Communication (03/24/2022) from the Housing Director, transmitting for Council consideration, a Resolution Authorizing The Filing Of The Kaua‘i County 2022 Action Plan (Home Investment Partnership Program) With The Department Of Housing And Urban Development, United States Of America, For A Grant Under Title II Of The Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625), As Amended. *(See Resolution No. 2022-16)*

**F. COMMUNICATIONS:**

1. **C 2022-74** Communication (03/16/2022) from the Housing Director, requesting council approval to receive and expend additional funds in the amount of $2,260,000.00, from the State via the federal American Rescue Plan (ERA2), which will be used to continue the emergency rental assistance program that provides rent and utility assistance for Kaua‘i households economically impacted by the COVID-19 emergency.
2. **C 2022-75** Communication (03/24/2022) from the Chief of Police and Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to receive and expend Fiscal Year 2021 Stop Violence Against Women (VAWA) Formula grant, in the amount of $64,919, and to indemnify the State of Hawai‘i Department of the Attorney General, project award No. 15JOVW-21-GG-00576-STOP, to continue to provide program support of Sexual Assault Nurse Examiners (SANE) exams, supportive funding, and DNA analysis, for the anticipated period of June 1, 2022 to May 31, 2023.

**G. CLAIMS:**

1. **C 2022-76** Communication (03/21/2022) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by Carmenia Montano, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua‘i.

2. **C 2022-77** Communication (03/21/2022) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by Martin Hoffman, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua‘i.

**H. COMMITTEE REPORT:**

**1. COMMITTEE OF THE WHOLE:**

a. **CR-COW 2022-03:** on Bill No. 2844 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 4, KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO COUNTY TRANSIENT ACCOMMODATIONS TAX [Approved.]

**I. RESOLUTIONS:**


J. BILL FOR SECOND READING:

1. Bill No. 2844 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 4, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO COUNTY TRANSIENT ACCOMMODATIONS TAX (See also CR-COW 2022-03; the Committee of the Whole recommended approval on second and final reading.)

K. EXECUTIVE SESSION: Pursuant to Hawai‘i Revised Statutes (HRS) §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 HRS §92-4 and shall be limited to those items described in HRS §92-5(a). (Confidential reports on file at the Office of the County Attorney and/or the Office of the County Clerk. Discussions held in Executive Session are closed to the public.)

1. ES-1071 Pursuant to Hawai‘i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua‘i County Charter Section 3.07(E), on behalf of the Council, the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing and to request authority for a possible settlement proposal in a claim filed by Neil and Michelle Young and related matters. This briefing and consultation involve the consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

L. ADJOURNMENT.
M. PUBLIC HEARING NOTE: The Council will convene into a public hearing on the following item(s) on this meeting date and will convene/reconvene the Council/Committee Meeting thereafter.

Testimony may be submitted in writing to counciltestimony@kauai.gov; via facsimile to (808) 241-6349; or mailed to the Office of the County Clerk, Council Services Division at 4396 Rice Street, Suite 209, Līhu'e, Hawai'i 96766. Oral testimony may be given via the Zoom remote technology platform and it shall be the responsibility of the testifier to ensure that the Zoom software is downloaded prior to the meeting. It is recommended that anyone interested in providing oral testimony provide a request to the Office of the County Clerk, Council Services Division at least one (1) hour prior to the meeting to cokcouncil@kauai.gov or by calling (808) 241-4188 during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, excluding holidays). This request shall include your name, telephone number, E-mail address, and the specific agenda item(s) that you will be testifying on. After oral testimony has been taken, members of the public may continue watching the meeting via the livestream link found at www.kauai.gov/webcastmeetings or may listen to the meeting on the oral testimony Zoom link. All accommodations pursuant to Act 220, Session Laws of Hawai'i 2021 shall be submitted to the Office of the County Clerk, Council Services Division as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Requests can be made via E-mail to cokcouncil@kauai.gov or by calling (808) 241-4188 during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, excluding holidays).

/*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 in 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. 2850 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 1 BETWEEN JULY 1, 2021 AND JUNE 30, 2025

N. NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

*TO VIEW MEETINGS OR MEETING ARCHIVES, PLEASE VISIT: WWW.KAUAI.GOV/WEBCASTMEETINGS.*