

**KAUA'I COUNTY COUNCIL
MEETING NOTICE AND AGENDA
WEDNESDAY, JULY 12, 2023
8:30 A.M. OR SOON THEREAFTER
COUNCIL CHAMBERS, HISTORIC COUNTY BUILDING
4396 RICE STREET, SUITE 201, LIHU'E, KAUA'I, HAWAII 96766**

MEETING INFORMATION:

- **Oral Testimony:** Accepted in-person at the Council Chambers.
- **Written Testimony:** May be submitted before any meeting via: email to counciltestimony@kauai.gov; fax to (808) 241-6349; mail to the Office of the County Clerk, Council Services Division at 4396 Rice Street, Suite 209, Līhu'e, Hawai'i, 96766; or hand-delivery at Suite 209 during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, excluding holidays).
- **Courtesy Livestream, Video, and Minutes:** Meeting livestream (recorded video to follow) is available at www.kauai.gov/Government/Council/Webcast-Meetings. If the courtesy livestream is unavailable for any reason, the meeting will proceed. Meeting minutes will be completed pursuant to Hawai'i Revised Statutes (HRS) Chapter 92 and electronically posted at www.kauai.gov/Government/Council following Council approval.
- **For Further Assistance:** 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.

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. MINUTES of the following meetings of the Council:

1. May 31, 2023 Council Meeting
2. June 28, 2023 Public Hearing re: Bill No. 2899

E. INTERVIEW:

1. POLICE COMMISSION:

- [Lisa C. Knutson – Term ending 12/31/2024](#)

F. CONSENT CALENDAR:

1. [C 2023-160](#) Communication (06/08/2023) from Council Chair Rapozo, transmitting for Council consideration and confirmation, Council appointee Kathleen Kikuchi-Samonte (At-Large) to the Kaua'i Historic Preservation Review Commission – Term ending 12/31/2024. **(See Resolution No. 2023-50)**

2. [C 2023-161](#) Communication (06/09/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Gary Pacheco to the Fire Commission – Term ending 12/31/2025. **(See Resolution No. 2023-51)**

3. [C 2023-162](#) Communication (06/13/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Stacy M.K. Waikoloa to the Cost Control Commission – Term ending 12/31/2025. **(See Resolution No. 2023-52)**

4. [C 2023-163](#) Communication (06/27/2023) from the Hawai'i State Association of Counties (HSAC) President, transmitting for Council consideration, HSAC's nomination of Councilmember KipuKai Kualii, County of Kaua'i, Councilmember Tommy Waters, City and County of Honolulu, and Councilmember Ashely Kierkiewicz, County of Hawai'i (NACo presidential appointee), to serve on the Board of Directors for the National Association of Counties (NACo), and nominations of Councilmember Shane Sinenci, County of Maui, and Councilmember Sue Lee Loy, County of Hawai'i, to serve on the Board of Directors for the Western Interstate Region (WIR), pursuant to Section 5A and Section 5C of the Bylaws of the Hawai'i State Association of Counties, Inc. **(See Resolution No. 2023-53)**

G. COMMUNICATION:

1. [C 2023-164](#) Communication (06/19/2023) from the Executive on Aging, requesting Council approval to receive and expend Federal funds, in the amount of \$1,995.00, and to indemnify the State Executive Office on Aging, for the provision of Title III services of the Older Americans Act, which includes supportive services, congregate meals, home-delivered meals, preventive health programs, and the National Family Caregiver Support Program, for the Federal Fiscal Year 2021. This award is through September 30, 2024.

H. CLAIM:

1. [C 2023-165](#) Communication (06/26/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by DB Insurance Company Ltd., c/o John Mullen & Company, for vehicle damage and personal injuries, pursuant to Section 23.06, Charter of the County of Kaua'i.

I. COMMITTEE REPORTS:1. PUBLIC WORKS & VETERANS SERVICES COMMITTEE:

- a. **CR-PWVS 2023-03:** on PWVS 2023-03 Communication (06/20/2023) from Council Chair Rapozo and Committee Chair DeCosta, requesting the presence of the Managing Director and the County Engineer, to provide a briefing on the Waimea Stream Crossing (also known as the Waimea River Ford Crossing) and the Waimea Levee and Flood Gate Repairs, including design details, timeline for completing, and deadlines relating to use of the State funds. **[Receive for the Record.]**

2. PLANNING COMMITTEE:

- a. **CR-PL 2023-02:** on Bill No. 2899 A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATION IN PUHI, KAUA'I (*University of Hawai'i Community Colleges, Kaua'i Community College, Applicant*) (ZA-2023-3) **[Approved.]**

3. COMMITTEE OF THE WHOLE:

- a. **CR-COW 2023-09:** on COW 2023-04 Communication (06/26/2023) from Councilmember Kagawa, requesting the presence of Dr. Raymond Petrillo, of Island Kidney Care, to provide a briefing on the status of kidney care and dialysis challenges on Kaua'i. **[Receive for the Record.]**

J. RESOLUTIONS:

1. [Resolution No. 2023-50](#) – RESOLUTION CONFIRMING COUNCIL APPOINTMENT TO THE KAUA‘I HISTORIC PRESERVATION REVIEW COMMISSION (*Kathleen Kikuchi-Samonte – At-Large*)
2. [Resolution No. 2023-51](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE FIRE COMMISSION (*Gary Pacheco*)
3. [Resolution No. 2023-52](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE COST CONTROL COMMISSION (*Stacy M.K. Waikoloa*)
4. [Resolution No. 2023-53](#) – RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES NOMINEES TO THE NATIONAL ASSOCIATION OF COUNTIES BOARD OF DIRECTORS AND THE WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR FISCAL YEAR 2023-2024

K. BILL FOR SECOND READING:

1. [Bill No. 2899](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATION IN PUHI, KAUA‘I (*University of Hawai‘i Community Colleges, Kaua‘i Community College, Applicant*) (ZA-2023-3) (See also CR-PL 2023-02; the Planning Committee recommended approval on second and final reading.)

L. 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.)

M. ADJOURNMENT.

N. PUBLIC HEARING: The Council will convene a public hearing on the following item(s) on this meeting date at approximately 8:30 a.m., or soon thereafter, and will convene or reconvene the Council Meeting thereafter. For complete information, including a summary of the item(s), please refer to the official Notice of Public Hearing, which has been published, posted on the bulletin board, filed in the Office of the County Clerk, and is available at www.kauai.gov/government/council/public-hearing-notices-minutes.

1. [Bill No. 2900](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUA‘I COUNTY CODE 1987, AS AMENDED, AND REPEALING ORDINANCE NO. 1130 AND SECTION 6 OF ORDINANCE NO. 1132, RELATING TO REAL PROPERTY TAX