

**KAUA'I COUNTY COUNCIL
MEETING NOTICE AND AGENDA
WEDNESDAY, OCTOBER 18, 2023
8:30 A.M. OR SOON THEREAFTER
COUNCIL CHAMBERS, HISTORIC COUNTY BUILDING
4396 RICE STREET, SUITE 201, LIHU'E, KAUA'I, HAWAI'I 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.
- **Courtesy Remote Oral Testimony:** This is not a remote meeting pursuant to HRS Section 92-3.7. The option of remote oral testimony is offered as a courtesy only. To register, testifiers shall sign up via emailing remote.signup@kauai.gov, indicating the agenda item(s) they would like to provide testimony on. Registration emails are due no later than 12:00 Noon the day prior to the meeting. Those who timely register will receive remote testimony access and instructions via reply email. Those wishing to view the meeting but not provide testimony will be directed to the courtesy livestream (via the website link above). If the courtesy remote testimony access is unavailable for any reason, the meeting will proceed.
- **Additional Note for Both Methods of Oral Testimony:** Generally, each agenda item is addressed (and oral testimony received) in the order listed in the agenda; however, agenda items may occur out of order without notice and oral testimony is not accepted for completed agenda items. Those seeking the guaranteed ability to testify should report: (1) in-person, and (2) by the meeting start time.
- **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. CONSENT CALENDAR:

1. [C 2023-224](#) Communication (08/22/2023) from Council Chair Rapozo, transmitting for Council consideration, a Resolution Supporting Operation Green Light For Veterans. (**See Resolution No. 2023-62**)
2. [C 2023-225](#) Communication (09/22/2023) from the Director of Finance, transmitting for Council information, a Report of Settlements by the Director of Finance for Tax Year 2022-2023, from July 1, 2022 through June 30, 2023, pursuant to Ordinance No. 1145, Kaua'i County Code 1987, as amended, Title III, Chapter 5A-12.15(c), approved on February 8, 2023.
3. [C 2023-226](#) Communication (09/29/2023) from Councilmember Cowden, transmitting for Council consideration, a Resolution Proposing A Charter Amendment Relating To The Board Of Water Supply Organization. (**See Resolution No. 2023-63**)
4. [C 2023-227](#) Communication (10/02/2023) from the Director of Finance, transmitting for Council information, the First Quarter Statement of Equipment Purchases for Fiscal Year 2023-2024, pursuant to Section 22 of Ordinance No. B-2023-891, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2023-2024.
5. [C 2023-228](#) Communication (10/05/2023) from Mark L. Bradbury, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from July 1, 2023 through September 30, 2023.
6. [C 2023-229](#) Communication (10/06/2023) from Councilmember DeCosta and Council Vice Chair Kualii, transmitting for Council consideration, a Resolution Recommending The Kaua'i Board Of Water Supply Amend Rules And Regulations To Allow Rainwater Catchment Systems On Agricultural Properties. (**See Resolution No. 2023-64**)

E. COMMUNICATIONS:

1. [C 2023-230](#) Communication (09/15/2023) from the Managing Director, requesting agenda time for a briefing from Smith Dawson & Andrews, Inc., Washington D.C. consultants, to provide a recap of the services and activities provided to the County during the past year as part of their professional services contract.

2. [C 2023-231](#) Communication (10/04/2023) from Councilmember DeCosta and Councilmember Bulosan, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 6, Article 13, Kaua'i County Code 1987, As Amended, Relating To Recovery Of Rescue Expenses. (*See Proposed Draft Bill (No. 2910)*)

F. CLAIM:

1. [C 2023-232](#) Communication (09/25/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Alexa McMonagle, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kaua'i.

G. COMMITTEE REPORT:1. COMMITTEE OF THE WHOLE:

- a. **CR-COW 2023-12:** on COW 2023-06 Communication (07/13/2023) from Council Chair Rapozo, requesting agenda time to allow a briefing about the current status of Kaua'i dams and reservoirs from government entities including the Department of Land and Natural Resources (DLNR), Department of Hawaiian Home Lands (DHHL), and Agribusiness Development Corporation (ADC). **[Received for the Record.]**

H. RESOLUTIONS:

1. [Resolution No. 2023-62](#) – RESOLUTION SUPPORTING OPERATION GREEN LIGHT FOR VETERANS

2. [Resolution No. 2023-63](#) – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO THE BOARD OF WATER SUPPLY ORGANIZATION

3. [Resolution No. 2023-64](#) – RESOLUTION RECOMMENDING THE KAUAI BOARD OF WATER SUPPLY AMEND RULES AND REGULATIONS TO ALLOW RAINWATER CATCHMENT SYSTEMS ON AGRICULTURAL PROPERTIES

I. BILL FOR FIRST READING:

1. [Proposed Draft Bill \(No. 2910\)](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 13, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO RECOVERY OF RESCUE EXPENSES

J. 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-1106 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kauai 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, discussion, and consultation regarding the Quarterly Report on Pending and Denied Claims. This briefing and consultation involves the consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

K. ADJOURNMENT.