

**KAUA'I COUNTY COUNCIL  
MEETING NOTICE AND AGENDA  
THURSDAY, JANUARY 16, 2025  
8:30 A.M. OR SOON THEREAFTER  
COUNCIL CHAMBERS, HISTORIC COUNTY BUILDING  
4396 RICE STREET, SUITE 201, LĪHU'E, KAUA'I, HAWAII 96766**

**MEETING INFORMATION:**

- ***Oral Testimony:*** Accepted in-person at the Council Chambers.
- ***Written Testimony:*** May be submitted for any meeting via: email to [counciltestimony@kauai.gov](mailto: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](http://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](http://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](mailto:remote.signup@kauai.gov), indicating the agenda item(s) they would like to provide testimony on. Emails are due no later than 12:00 Noon the business 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](mailto: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. December 18, 2024 Council Meeting
2. December 18, 2024 Public Hearing re: Bill No. 2936, Bill No. 2937, Bill No. 2938, and Bill No. 2939

E. INTERVIEW:

## 1. LIQUOR CONTROL COMMISSION:

- [Gerald Bahouth](#) – Partial term ending 12/31/2025

F. CONSENT CALENDAR:

1. [C 2025-18](#) Communication (11/01/2024) from the Mayor, transmitting for Council consideration and confirmation, the appointment of Paul Gerard Toner to the Salary Commission – Term ending 12/31/2027. (***See Resolution No. 2025-11***)
2. [C 2025-19](#) Communication (11/08/2024) from the Mayor, transmitting for Council consideration and confirmation, the appointment of Nancy Ann Kanna to the Salary Commission – Partial term ending 12/31/2026. (***See Resolution No. 2025-12***)
3. [C 2025-20](#) Communication (11/19/2024) from the Mayor, transmitting for Council consideration and confirmation, the appointment of Francis Ka'awa to the Building Board of Appeals (At-Large) – Partial term ending 12/31/2025. (***See Resolution No. 2025-13***)
4. [C 2025-21](#) Communication (12/05/2024) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of February 7, 2024 and May 6, 2024.
5. [C 2025-22](#) Communication (12/19/2024) from the Mayor, transmitting for Council consideration and confirmation, the reappointment of Nathan A. Wood (*Building/Construction*) to the Building Board of Appeals – Term ending 12/31/2027. (***See Resolution No. 2025-14***)

G. COMMUNICATIONS:

1. [C 2025-23](#) Communication (12/10/2024) from the Fire Chief, requesting Council approval to apply for, accept, and expend a United States Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG), to fund the purchase of one (1) Type V Fire Engine, totaling \$352,727.00, to enhance the Kaua'i Fire Department's ability to better access and combat off-road, brush, and wildland fires. This is an "after the fact" request, as the AFG application was submitted in March 2024.
2. [C 2025-24](#) Communication (12/11/2024) from the Deputy Director of Planning, requesting Council approval to accept and expend funds from the Hawai'i State Department of Health (HDOH) in the amount of \$75,000.00, and to indemnify the State of Hawai'i, which will support training for County staff to implement multi-modal transportation plans and projects, with a focus on improving health equity and creating safer, more inclusive transportation systems, with no local match needed.
3. [C 2025-25](#) Communication (12/18/2024) from the Executive on Transportation, requesting Council approval of the County of Kaua'i, Transportation Agency's submittal of its current Title VI program to the Hawai'i Department of Transportation's Office of Civil Rights, as a recipient of Federal Transit Administration funds, which has been updated, reviewed, and approved through consultation with the Office of the County Attorney.

H. LEGAL DOCUMENT:

1. [C 2025-26](#) Communication (12/13/2024) from the County Engineer, recommending Council approval of a License Agreement between the State of Hawai'i, Agribusiness Development Corporation (ADC) and the County of Kaua'i, a political subdivision of the State of Hawai'i, to construct the installation and perform quarterly monitoring of groundwater wells to a depth of approximately fifteen to twenty feet below the ground surface and contained within a small borehole diameter of eight inches, situated at Tax Map Key (TMK) No. (4) 1-2-002:001 (por), Kekaha, Kaua'i, Hawai'i, to install two (2) groundwater monitoring wells upgradient from Kekaha Landfill.

- License Agreement No. LI-K-23-03

I. CLAIM:

1. [C 2025-27](#) Communication (12/23/2024) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by The Law Offices of Kaiteris & Kavanagh, PLLC, as subrogee of Joseph Iorio, for personal injury and medical bills, pursuant to Section 23.06, Charter of the County of Kauaʻi.

J. COMMITTEE REPORTS:1. PLANNING COMMITTEE:

- a. **CR-PL 2025-01:** on Bill No. 2936 A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATIONS IN WAILUA, KAUAI (*County of Kauaʻi Planning Department, Applicant*) (ZA-2024-1) **[Approved.]**
- b. **CR-PL 2025-02:** on Bill No. 2937 A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATIONS IN HANAPĒPĒ, KAUAI (*County of Kauaʻi Planning Department, Applicant*) (ZA-2024-2) **[Approved.]**

2. HOUSING & INTERGOVERNMENTAL RELATIONS COMMITTEE:

- a. **CR-HIR 2025-01:** on HIR 2025-01 Communication (12/31/2024) from Council Chair Rapozo, requesting the presence of Kali Watson, Chairperson of Hawaiian Homes Commission, and Melissa Mann, Sr. Project Manager of Interwest, to provide an update regarding the Courtyards at Waipouli's relocation plan. **[Received for the Record.]**

**3. PUBLIC SAFETY & HUMAN SERVICES COMMITTEE:**

- a. **CR-PSHS 2025-01:** on Bill No. 2938 A BILL FOR AN ORDINANCE AMENDING CHAPTER 15A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE KAUAI COUNTY FIRE CODE **[Approved.]**

**4. FINANCE & ECONOMIC DEVELOPMENT COMMITTEE:**

- a. **CR-FED 2025-01:** on Bill No. 2939 A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-896, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, HIGHWAY FUND, G.E. TAX FUND, SOLID WASTE FUND, SEWER FUND, AND GOLF FUND **[Approved as Amended.]**

**5. COMMITTEE OF THE WHOLE:**

- a. **CR-COW 2025-02:** on COW 2025-01 Communication (12/16/2024) from Council Chair Rapozo requesting the presence of Sherry Menor-McNamara, President and CEO of the Chamber of Commerce Hawai'i, to provide a briefing regarding the 2030 Blueprint of Hawai'i. **[Received for the Record.]**

**K. RESOLUTIONS:**

1. [Resolution No. 2025-11](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE SALARY COMMISSION (*Paul Gerard Toner*)
2. [Resolution No. 2025-12](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE SALARY COMMISSION (*Nancy Ann Kanna*)

3. [Resolution No. 2025-13](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BUILDING BOARD OF APPEALS (*Francis Ka’awa – At-Large*)

4. [Resolution No. 2025-14](#) – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE BUILDING BOARD OF APPEALS (*Nathan A. Wood – Building/Construction*)

L. BILLS FOR SECOND READING:

1. [Bill No. 2936](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATIONS IN WAILUA, KAUAI (*County of Kauai Planning Department, Applicant*) (ZA-2024-1) (See also CR-PL 2025-01; the Planning Committee recommended approval on second and final reading.)

2. [Bill No. 2937](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATIONS IN HANAPEPE, KAUAI (*County of Kauai Planning Department, Applicant*) (ZA-2024-2) (See also CR-PL 2025-02; the Planning Committee recommended approval on second and final reading.)

3. [Bill No. 2938](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 15A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE KAUAI COUNTY FIRE CODE (See also CR-PSHS 2025-01; the Public Safety & Human Services Committee recommended approval on second and final reading.)

4. [Bill No. 2939, Draft 1](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-896, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, HIGHWAY FUND, G.E. TAX FUND, SOLID WASTE FUND, SEWER FUND, AND GOLF FUND (See also CR-FED 2025-01; the Finance & Economic Development Committee recommended approval as amended to Bill No. 2939, Draft 1 on January 8, 2025.)

M. 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.)*

N. ADJOURNMENT.

- O. 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 <https://www.kauai.gov/Government/Council/Public-Hearing-Notices-Minutes>.
1. Bill No. 2940 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Settlement and Compromise Powers*)