

**KAUA'I COUNTY COUNCIL  
MEETING NOTICE AND AGENDA  
WEDNESDAY, JANUARY 29, 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. January 16, 2025 Council Meeting
2. January 16, 2025 Public Hearing re: Bill No. 2940

E. CONSENT CALENDAR:

1. [C 2025-28](#) Communication (12/09/2024) from the Mayor, transmitting for Council consideration and confirmation, the appointment of Gerald Bahouth to the Liquor Control Commission – Partial term ending 12/31/2025. (***See Resolution No. 2025-15***)
2. [C 2025-29](#) Communication (01/14/2025) from Tyler C. Saito, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kauaʻi from October 1, 2024 through December 31, 2024.
3. [C 2025-30](#) Communication (01/17/2025) from the Hawaiʻi State Association of Counties (HSAC) President, transmitting for Council consideration, HSAC's slate of officers for the HSAC Executive Committee for Calendar Year 2025, pursuant to Section 5 of the Bylaws of the Hawaiʻi State Association of Counties, Inc. (***See Resolution No. 2025-16***)
4. [C 2025-31](#) Communication (01/21/2025) from the Hawaiʻi State Association of Counties (HSAC) Executive Director, transmitting for Council consideration, HSAC's nominations of Councilmember KipuKai Kualiʻi, County of Kauaʻi and Councilmember Tommy Waters, City and County of Honolulu, 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 Arryl Kaneshiro, County of Kauaʻi, 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 Hawaiʻi State Association of Counties, Inc. (***See Resolution No. 2025-17***)

F. COMMUNICATIONS:

1. [C 2025-32](#) Communication (10/31/2024) from the Prosecuting Attorney, requesting Council approval:
  - To accept the Opioid Settlement Funds in the total amount of \$281,063.65. The initial specified amount approved during the July 10, 2024 Council Meeting was \$280,000.00; and
  - Of the indemnification provisions in the State of Hawai'i Department of Health Memorandum of Agreement (MOA).
  
2. [C 2025-33](#) Communication (12/24/2024) from the Executive on Aging, requesting Council approval to receive and expend Federal funds, for the first allotment in the amount of \$6,639.00, Fiscal Year 2025, and to indemnify the State Executive Office on Aging, for the Nutrition Services Incentive Program (NSIP) provision of congregate and home-delivered meals.
  
3. [C 2025-34](#) Communication (01/02/2025) from the County Engineer, requesting Council approval to dispose of various records, pursuant to Hawai'i Revised Statutes (HRS) Section 46-43 and Resolution No. 2021-48 (2021), which have been kept for over seven (7) years and are no longer of use or value. (*List of various records to be disposed of on file in the Office of the County Clerk.*)
  
4. [C 2025-35](#) Communication (01/08/2025) from the Executive on Transportation, requesting Council approval to apply for, receive, expend, and indemnify the Federal Transit Administration (FTA) for Section 5311 formula grant funds in the amount of \$1,365,726.00 for four (4) diesel and gas buses, which are soon to be beyond their useful lives, to be used to fund eighty percent (80%) of the purchase cost, and twenty percent (20%) from the Transportation Agency's Fiscal Year 2025 budget request.

5. [C 2025-36](#) Communication (01/09/2025) from the County Engineer, requesting Council approval:
- To accept a donation from Grove Farm Properties, Inc. of approximately 100,000 cubic yards of soil, with an estimated value of \$2,500,000.00, to be used at the Kekaha Landfill for daily cover, intermediate cover, backfill, and road construction, which will satisfy the landfill soil needs for approximately eight (9) months to one (1) year; and
  - Of the indemnification provision in the Right-of-Entry provided in the Right-of-Entry Agreement Waiola Site Soil Project.
6. [C 2025-37](#) Communication (01/09/2025) from Elliott K. Ke, Assistant Chief of Police, Police Operations Bureau, requesting Council approval of the indemnification provisions contained in the Hawaiian Telcom Service Agreement, for the renewal of the Intrado/Viper Workstations Services for Enhanced 911 (E-911) Call Routing Solutions system for continued use at the Kaua'i Police Department's (KPD's) Public Safety Answering Point (PSAP) and the Alternate Dispatch Center (ADC) for reporting emergencies and requests for police, fire, and medical services in the County of Kaua'i.
7. [C 2025-38](#) Communication (01/10/2025) from Makana A. Rivera, Acting Assistant Chief, Support Services Bureau, requesting Council approval of the indemnification provisions contained in the Life Technologies Corporation Instrument Services Terms and Conditions, for renewal of the RapidHIT ID System Maintenance Services, which provides comprehensive support for the system, including routine maintenance, calibration, and warranty coverage to ensure optimal performance, and includes licenses for essential software components.
8. [C 2025-39](#) Communication (01/16/2025) from the Director of Finance, transmitting for Council information, the Second Quarter Statement of Equipment Purchases for Fiscal Year 2024-2025, pursuant to Section 22 of Ordinance No. B-2024-897, as amended, relating to the Operating Budget of the County of Kaua'i for Fiscal Year 2024-2025.

9. [C 2025-40](#) Communication (01/16/2025) from the Mayor, transmitting for Council consideration, A Bill For An Ordinance Amending Ordinance No. B-2024-896, As Amended, Relating To The Operating Budget Of The County Of Kaua'i, State Of Hawai'i, 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, relating to the Hawai'i Government Employees Association, Local 152, AFSCME, AFL-CIO (HGEA) temporary hazard pay. **(See Proposed Draft Bill (No. 2941))**
10. [C 2025-41](#) Communication (01/17/2025) from the Deputy Director of Planning, requesting Council approval to receive and expend State of Hawai'i Department of Transportation (DOT), State Planning and Research (SPR) Program grant funds in the full awarded amounts of \$460,000.00 for the Kaua'i County Multi-Use Path and Trails Master Plan and \$450,000.00 for the Līhu'e Mauka Road Multi-Modal Corridor Study, and to indemnify the State of Hawai'i. The initial specified amounts approved during the March 22, 2023 Council Meeting were \$400,000.00 for the Līhu'e Mauka Road Multi-Modal Corridor Plan, and \$400,000.00 for the County Shared Use Path and Access Action Plan.
11. [C 2025-42](#) Communication (01/17/2025) from the Deputy Director of Planning, requesting Council approval to receive and expend National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management (CZM) Habitat Protection and Restoration Bipartisan Infrastructure Law (BIL) Competition grant funds in the revised awarded amount of \$458,821.00. The initial specified amount approved during the December 6, 2023 Council Meeting was \$409,500.00.
12. [C 2025-43](#) Communication (01/22/2025) from the County Clerk, requesting Council approval to purchase unbudgeted equipment of a large-sized All-Terrain Utility Vehicle, at a cost of approximately \$95,000.00, for use by both the Council Services and Elections Divisions, utilizing funds from existing accounts.
13. [C 2025-44](#) Communication (01/23/2025) from Councilmember Kaneshiro and Councilmember Holland, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 8, Kaua'i County Code 1987, As Amended, Relating To Commercial Use Of Parks Facilities. **(See Proposed Draft Bill (No. 2942))**

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

- a. **CR-PWVS 2025-01:** on PWVS 2025-01 Communication (12/30/2024) from Committee Chair Carvalho, requesting the presence of County Engineer, Chief of Engineering, and, Civil Engineer Manager, to provide a briefing regarding the National Flood Insurance Program (NFIP), including floodplain management. **[Received for the Record.]**

2. FINANCE & ECONOMIC DEVELOPMENT COMMITTEE:

- a. **CR-FED 2025-02:** on FED 2025-01 Communication (12/18/2024) from Council Chair Rapozo requesting the presence of the Managing Director, to provide a briefing regarding Ordinance No. B-2024-896, Relating To The Operating Budget And Financing Thereof For The Fiscal Year July 1, 2024 To June 30, 2025, and B-2024-897, Relating To Capital Improvements And Financing Thereof For The Fiscal Year July 1, 2024 To June 30, 2025, to provide a comprehensive mid-year update including identification of items that are overbudgeted and underbudgeted and forecasts for the remainder of the fiscal year. **[Received for the Record.]**
- b. **CR-FED 2025-03:** on 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*) **[Approved.]**

**3. COMMITTEE OF THE WHOLE:**

- a. **CR-COW 2025-03:** on COW 2025-02 Communication (12/18/2024) from Council Chair Rapozo requesting the presence of Padraic Gallagher, Executive Director of the Kaua'i Humane Society, to provide a briefing on the capacity issues that the Kaua'i Humane Society is experiencing. **[Received for the Record.]**

**H. RESOLUTIONS:**

1. [Resolution No. 2025-15](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE LIQUOR CONTROL COMMISSION (*Gerald Bahouth*)
2. [Resolution No. 2025-16](#) – RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES SLATE OF OFFICERS FOR CALENDAR YEAR 2025
3. [Resolution No. 2025-17](#) – 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 2025-2026

**I. BILLS FOR FIRST READING:**

1. [Proposed Draft Bill \(No. 2941\)](#) – 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 (*HGEA Temporary Hazard Pay*)
2. [Proposed Draft Bill \(No. 2942\)](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO COMMERCIAL USE OF PARKS FACILITIES

J. BILL FOR SECOND READING:

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*) (*See also CR-FED 2025-03; the Finance & Economic Development Committee 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-1140      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, 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.

L. ADJOURNMENT.