

KAUA'I COUNTY COUNCIL
MEETING NOTICE AND AGENDA
WEDNESDAY, APRIL 23, 2025
8:30 A.M. OR SOON THEREAFTER
COUNCIL CHAMBERS, HISTORIC COUNTY BUILDING
4396 RICE STREET, SUITE 201, LĪHU'Ē, 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; 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. 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 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. March 25, 2025 Council Meeting
2. April 9, 2025 Public Hearing re: Bill No. 2945, Bill No. 2946, Bill No. 2947, and Bill No. 2948

E. CONSENT CALENDAR:

1. [C 2025-94](#) Communication (03/20/2025) from the Mayor, transmitting for Council consideration and confirmation, the appointment of Clyde T. Kodani to the Board of Water Supply – Term ending 12/31/2027. (***See Resolution No. 2025-22***)
2. [C 2025-95](#) Communication (04/02/2025) from Mark L. Bradbury, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kauaʻi from January 1, 2025 through March 31, 2025.
3. [C 2025-96](#) Communication (04/04/2025) from the County Engineer, transmitting for Council consideration, a Resolution Amending Resolution No. 2024-11, Authorizing The Mayor Or The Director Of Finance Of The County Of Kauaʻi To Enter Into An Intergovernmental Agreement With The State Of Hawaiʻi, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Wailua SPS #3 Rehabilitation, Project No. C150055-06. (***See Resolution No. 2025-23***)
4. [C 2025-97](#) Communication (04/04/2025) from the Director of Finance, transmitting for Council information, the Third Quarter Statement of Equipment Purchases for Fiscal Year 2024-2025, pursuant to Section 22 of Ordinance No. B-2024-896, as amended, relating to the Operating Budget of the County of Kauaʻi for Fiscal Year 2024-2025.
5. [C 2025-98](#) Communication (04/09/2025) from the County Engineer, transmitting for Council consideration, a Resolution Establishing Traffic Lane Modifications And A Stop Sign On Olohena Road; And Removing A Stop Sign On Kaʻapuni Road, County Of Kauaʻi. (***See Resolution No. 2025-24***)

6. [C 2025-99](#) Communication (04/14/2025) from Councilmember Holland, transmitting for Council consideration, a Resolution Opposing The Increase In Shipping Costs Proposed By Young Brothers, LLC. (*See Resolution No. 2025-25*)

F. COMMUNICATIONS:

1. [C 2025-100](#) Communication (04/02/2025) from the County Attorney, requesting Council approval of the indemnification provision contained in the LinkedIn User Agreement, to post the current Deputy County Attorney vacancy on LinkedIn to broaden the outreach and attract highly qualified candidates.
2. [C 2025-101](#) Communication (04/02/2025) from the County Attorney, requesting Council approval of the indemnification provision contained in the CBIZ proposal for appraisal services, to appraise all County of Kaua'i facilities listed on the statement of values as a multi-term initiative over the next three (3) years. This will provide up-to-date valuations that reflect current market conditions and construction costs, allowing for more precise budgeting, insurance, coverage, and asset management.
3. [C 2025-102](#) Communication (04/02/2025) from the Prosecuting Attorney, requesting Council approval to reallocate State of Hawai'i, Department of Health, Alcohol and Drug Abuse Division (ADAD), State Opioid Response (SOR4) Grant Program funds in the amount of \$35,000.00, to be used to support the personnel cost of the Prevention Services Specialist previously funded by the American Rescue Plan Act (ARPA), which abruptly terminated on March 24, 2025.
4. [C 2025-103](#) Communication (04/10/2025) from the Executive on Aging, requesting Council approval to receive and expend donations from five (5) various sources, in the amount of \$355.00 for Fiscal Year 2025, for the Home-Delivered Meals Program, to help offset the costs of the meals served. The provision of the Home-Delivered Meals Service aims to maintain or improve *kūpuna* nutritional status, social well-being, and ability to remain in the community.

G. CLAIM:

1. [C 2025-104](#) Communication (04/08/2025) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by State Farm Mutual Ins Co as subrogee of Vincent Levinthol, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kauaʻi.

H. COMMITTEE REPORTS:1. PLANNING COMMITTEE:

- a. **CR-PL 2025-03:** on Bill No. 2945 A BILL FOR AN ORDINANCE AMENDING “KAUAʻI KĀKOU – KAUAʻI COUNTY GENERAL PLAN” (2018) RELATING TO A PARCEL LOCATED IN ʻELEʻELE, KAUAʻI (*County of Kauaʻi Planning Department, Applicant*) (GPA-2025-1) **[Approved.]**
- b. **CR-PL 2025-04:** on Bill No. 2946 A BILL FOR AN ORDINANCE AMENDING THE STATE LAND USE DISTRICT BOUNDARY RELATING TO A PARCEL LOCATED IN ʻELEʻELE, KAUAʻI (*County of Kauaʻi Planning Department, Applicant*) (A-2025-1) **[Approved.]**
- c. **CR-PL 2025-05:** on Bill No. 2947 A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAʻI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING BOUNDARIES IN ʻELEʻELE, KAUAʻI (*County of Kauaʻi Planning Department, Applicant*) (ZA-2025-1) **[Approved.]**
- d. **CR-PL 2025-06:** on Bill No. 2948 A BILL FOR AN ORDINANCE AMENDING THE WEST KAUAʻI COMMUNITY PLAN (2020) RELATING TO A PARCEL LOCATED IN ʻELEʻELE, KAUAʻI (*County of Kauaʻi Planning Department, Applicant*) (ZA-2025-2) **[Approved.]**

I. RESOLUTIONS:

1. [Resolution No. 2025-22](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF WATER SUPPLY (*Clyde T. Kodani*)
2. [Resolution No. 2025-23](#) – RESOLUTION AMENDING RESOLUTION NO. 2024-11, AUTHORIZING THE MAYOR OR THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE WAILUA SPS #3 REHABILITATION, PROJECT NO. C150055-06
3. [Resolution No. 2025-24](#) – RESOLUTION ESTABLISHING TRAFFIC LANE MODIFICATIONS AND A STOP SIGN ON OLOHENA ROAD; AND REMOVING A STOP SIGN ON KA'APUNI ROAD, COUNTY OF KAUAI
4. [Resolution No. 2025-25](#) – RESOLUTION OPPOSING THE INCREASE IN SHIPPING COSTS PROPOSED BY YOUNG BROTHERS, LLC

J. BILLS FOR SECOND READING:

1. [Bill No. 2945](#) – A BILL FOR AN ORDINANCE AMENDING “KAUAI KAKOU – KAUAI COUNTY GENERAL PLAN” (2018) RELATING TO A PARCEL LOCATED IN ‘ELE‘ELE, KAUAI (*County of Kauai Planning Department, Applicant*) (*GPA-2025-1*) (*See also CR-PL 2025-03; the Planning Committee recommended approval on second and final reading.*)
2. [Bill No. 2946](#) – A BILL FOR AN ORDINANCE AMENDING THE STATE LAND USE DISTRICT BOUNDARY RELATING TO A PARCEL LOCATED IN ‘ELE‘ELE, KAUAI (*County of Kauai Planning Department, Applicant*) (*A-2025-1*) (*See also CR-PL 2025-04; the Planning Committee recommended approval on second and final reading.*)
3. [Bill No. 2947](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING BOUNDARIES IN ‘ELE‘ELE, KAUAI (*County of Kauai Planning Department, Applicant*) (*ZA-2025-1*) (*See also CR-PL 2025-05; the Planning Committee recommended approval on second and final reading.*)

4. [Bill No. 2948](#) – A BILL FOR AN ORDINANCE AMENDING THE WEST KAUAI COMMUNITY PLAN (2020) RELATING TO A PARCEL LOCATED IN ‘ELE‘ELE, KAUAI (*County of Kauai Planning Department, Applicant*) (ZA-2025-2) (*See also CR-PL 2025-06; the Planning 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-1144 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.

L. ADJOURNMENT.

M. 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. 2951](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO COMMERCIAL USE OF PARKS FACILITIES (*Kauai County Council, Applicant*) (ZA-2025-07 – *Planning Commission Recommendation*)