

KAUA'I COUNTY COUNCIL
MEETING NOTICE AND AGENDA
WEDNESDAY, OCTOBER 28, 2026
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; hand-delivery at Suite 209 during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, excluding holidays), or hand-delivery at the Council Chambers during the meeting. It is helpful for testifiers to note the meeting date, identify the agenda item, and submit separate communications when testifying on more than one agenda item.
- **Testimony Disclaimers:** All public testimony—whether oral or written, submitted by mail, electronically, or in-person—is public record and subject to public disclosure (including being posted online). Additionally, public testimony will not be redacted, so testifiers may want to avoid sharing personal information. Communications to a Councilmember or Councilmembers by means other than counciltestimony@kauai.gov may still constitute testimony if it reasonably appears to be testimony relating to an agenda item. Those communications may be distributed to all Councilmembers, made publicly available, and posted online.
- **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.
- **Timing of Oral Testimony:** Generally, agenda items are addressed (and oral testimony received) in the order listed in the agenda; however, agenda items may occur out of order and oral testimony is not accepted for completed agenda items. Those seeking the guaranteed ability to provide oral testimony should report: (1) in-person, and (2) by the meeting start time.

MEETING INFORMATION (CONTINUED):

- ***Agenda Packet and Additional Agenda Packet Meeting Documents, Including Distribution of Submitted Written Testimony:*** The electronic version of this notice and agenda provides the “agenda packet” meeting documents pursuant to HRS Section 92-7.5 (officially known as “board packet”). Via the notification of electronic posting of this notice and agenda, the agenda packet has been simultaneously distributed to Councilmembers before the meeting for use at the meeting and to persons who have requested notification of meetings pursuant to HRS Section 92-7(e). The agenda lists all agenda items in detail and any agenda item with a clickable link provides the meeting documents described. Agenda items without a clickable link are not part of the agenda packet and are not distributed to Councilmembers before the meeting. The agenda packet is also available for inspection at Suite 209 during regular business hours and at www.kauai.gov/Government/Council/Council-Meeting-Agendas-Minutes-Recap-Memoranda#section-2. If additional agenda packet documents (such as written public testimony) are distributed to Councilmembers prior to the meeting, an additional notification will be provided to those who have requested notification. If documents distributed during the meeting are later posted to the above-referenced website, no additional notification will be provided.
- ***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. September 23, 2026 Council Meeting
2. September 30, 2026 Council Meeting

E. CONSENT CALENDAR:

1. [C 2026-257](#) Communication (10/09/2026) from Mark L. Bradbury, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kauaʻi from July 1, 2026 through September 30, 2026.

F. COMMUNICATIONS:

1. [C 2026-258](#) Communication (09/25/2026) from the Fire Chief, transmitting for Council consideration, A Bill For An Ordinance Amending Ordinance No. B-2026-917, As Amended, Relating To The Operating Budget Of The County Of Kauaʻi, State Of Hawaiʻi, For The Fiscal Year July 1, 2026 Through June 30, 2027, By Revising The Amounts Estimated In The General Fund, to establish and appropriate funds for three (3) new Helicopter Pilot positions to support the Kauaʻi Fire Department (KFD) public-safety aviation and emergency-response program. ***(See Proposed Draft Bill (No. 3013))***
2. [C 2026-259](#) Communication (09/28/2026) from the Executive on Aging, requesting Council approval to receive and expend State funds, for the third allotment in the amount of \$241.00, for Fiscal Year 2026, 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 2026-260](#) Communication (09/30/2026) from the Fire Chief, requesting Council approval to accept a donation of one hundred five (105) individual first aid kits (IFAKs), valued at approximately \$12,500.00, from the Kauaʻi Lifeguard Association (KLA), to enhance first responders' abilities to deliver immediate lifesaving care and to strengthen the County's overall emergency response and disaster preparedness capabilities. KLA requested that the first seventy-four (74) kits be designated for personnel within the Ocean Safety Bureau, with the remaining kits available to further support the Kauaʻi Fire Department (KFD) emergency response operations.
4. [C 2026-261](#) Communication (10/06/2026) from the Director of Finance, requesting Council approval to accept the indemnification and unspecified future obligations sections contained in the Title Guaranty Escrow Services, Inc. (Escrow) General Provisions, to complete the land exchange of a parcel currently owned by the County of Kauaʻi, situated at Tax Map Key (TMK) No. (4) 2-3-005:006, with a parcel currently owned by the Bank of Hawaiʻi, as Trustee of the Kukuilono Park Trust Estate, situated at TMK No. (4) 2-3-005:025.

5. [C 2026-262](#) Communication (10/06/2026) from the Director of Finance, requesting Council approval to accept the indemnification and unspecified future obligations sections contained in the Title Guaranty Escrow Services, Inc. (Escrow) Satisfaction/Waiver, to complete the land exchange of a parcel currently owned by the County of Kauaʻi, situated at Tax Map Key (TMK) No. (4) 2-3-005:006, with a parcel currently owned by the Bank of Hawaiʻi, as Trustee of the Kukuilono Park Trust Estate, situated at TMK No. (4) 2-3-005:025.
6. [C 2026-263](#) Communication (10/08/2026) from the Managing Director, requesting agenda time for a briefing from Smith Garson, Washington, D.C. consultants, to provide a recap of the services and activities provided to the County during the past fiscal year as part of their professional services contract.
7. [C 2026-264](#) Communication (10/09/2026) from Councilmember Holland, transmitting for Council consideration, A Bill For An Ordinance To Establish A New Article 5, Chapter 4, Kauaʻi County Code 1987, As Amended, Relating To The County Seal. ***(See Proposed Draft Bill (No. 3014))***
8. [C 2026-265](#) Communication (10/13/2026) from the County Attorney, requesting authorization to expend additional funds up to \$50,000.00 for Special Counsel's continued services to represent the County of Kauaʻi in condemnation proceedings entitled County of Kauaʻi vs. B&D Properties, LLC et al., Civil No. 5CCV-22-0000013, Fifth Circuit Court, State of Hawaiʻi.
9. [C 2026-266](#) Communication (10/13/2026) from the Executive on Aging, requesting Council approval to receive and expend donations from three (3) various sources, in the amount of \$725.00, to help offset the costs of the meals served from the Home-Delivered Meals Program. The purpose of the nutrition program is to reduce hunger and food insecurity, and provide meals to the participants.
10. [C 2026-267](#) Communication (10/20/2026) from the Director of Finance, requesting Council approval to pursue and receive insurance proceeds, in the amount of up to \$25,000,000.00, the County's policy coverage limit, arising from the September 9, 2026 fire at the Kāpule Building at the Līhuʻe Civic Center, Līhuʻe, Hawaiʻi. The proceeds will support the County's recovery from the fire, including covered restoration, repair, and replacement costs.

G. CLAIM:

1. [C 2026-268](#) Communication (10/08/2026) from the County Clerk, transmitting a claim filed against the County of Kaua'i by William H. Gilliam, for being deprived of possession and use of his home and personal property, pursuant to Section 23.06, Charter of the County of Kaua'i.

H. COMMITTEE REPORT:1. PLANNING COMMITTEE:

- a. **CR-PL 2026-03:** on Bill No. 2998, Draft 3 A BILL FOR AN ORDINANCE AMENDING CHAPTERS 15, 12, AND 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO WILDFIRE AND WILDLAND URBAN INTERFACE (WUI) (*County of Kaua'i, Applicant*) (ZA-2026-6) [Approved.]

I. BILLS FOR FIRST READING:

1. [Proposed Draft Bill \(No. 3013\)](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2026-917, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2026 THROUGH JUNE 30, 2027, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*New Helicopter Pilot positions – \$383,398.00*)

2. [Proposed Draft Bill \(No. 3014\)](#) – A BILL FOR AN ORDINANCE TO ESTABLISH A NEW ARTICLE 5, CHAPTER 4, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COUNTY SEAL

J. BILL FOR SECOND READING:

1. [Bill No. 2998, Draft 3](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTERS 15, 12, AND 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO WILDFIRE AND WILDLAND URBAN INTERFACE (WUI) (*County of Kaua'i, Applicant*) (ZA-2026-6) (*See also CR-PL 2026-03; 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-1172 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 consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

2. ES-1173 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session with the Council, to provide the Council with a briefing on Special Counsel's continued services to represent the County of Kaua'i in condemnation proceedings entitled County of Kaua'i vs. B&D Properties, LLC et al., Civil No. 5CCV-22-0000013, Fifth Circuit Court, State of Hawai'i. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

3. ES-1174 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session with the Council, to provide the Council with a briefing on Special Counsel's continued services to represent the County of Kaua'i in employment related matters. This briefing and consultation involves 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. 3003](#) – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2026-917, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2026 THROUGH JUNE 30, 2027, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*General Liability Claims – \$1,500,000.00*)
2. [Bill No. 3004](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, BY ESTABLISHING A NEW ARTICLE RELATING TO CONDOMINIUM PROPERTY REGIMES (*ZA-2026-5 – Planning Commission Recommendation*)
3. [Bill No. 3006](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 1193, RELATING TO CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Tax Credit, Additional Applications*)
4. [Bill No. 3007](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 21, ARTICLE 7, KAUAI COUNTY CODE 1987, AS AMENDED, BY ADDING A NEW SECTION RELATING TO LANDFILL PROHIBITED SITES
5. [Bill No. 3008](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, ARTICLE 9, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY DEDICATED AS ‘ĀINA KŪPUNA