COUNCIL MEETING

SEPTEMBER 23, 2026

The Council Meeting of the Council of the County of Kaua'i was called to order by Mel Rapozo, Council Chair, on Wednesday, September 23, 2026, at 8:32 a.m., at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Līhu'e, Kaua'i, after which the following Members answered the call of the roll:

Honorable Addison Bulosan
Honorable Bernard P. Carvalho, Jr.
Honorable Felicia Cowden
Honorable Fern Holland
Honorable Arryl Kaneshiro
Honorable KipuKai Kuali'i
Honorable Mel Rapozo

Pursuant to Hawai'i Revised Statutes Section 92-9(a)(4), because a video recording of this meeting is available online, this is to provide a link to the video recording (valid as of the approval date of these minutes): https://kauai.granicus.com/player/clip/3141?view_id=2&redirect=true. Additionally, meeting videos are available at: www.kauai.gov/Government/Council/Webcast-Meetings.

APPROVAL OF THE AGENDA.

Councilmember Bulosan moved for approval of the agenda, as circulated, seconded by Councilmember Kuali'i.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion for approval of the agenda, as circulated, was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

MINUTES of the following meetings of the Council:

July 29, 2026 Council Meeting
August 26, 2026 Council Meeting
August 26, 2026 Public Hearing re: Bill No. 3000 and Bill No. 3001

Councilmember Kuali'i moved to approve the Minutes, as circulated, seconded by Councilmember Bulosan.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to approve the Minutes, as circulated, was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

CONSENT CALENDAR:

C 2026-220 Communication (09/03/2026) from Councilmember Cowden, transmitting for Council consideration, a Resolution Approving A State Bill Relating To Emergency Management For Inclusion In The 2027 County Of Kaua'i Legislative Package.

Councilmember Kuali'i moved to receive C 2026-220 for the record, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to receive C 2026-220 for the record was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

COMMUNICATIONS:

C 2026-221 Communication (08/19/2026) from the Executive on Aging, requesting Council approval to receive and expend State funds in the amount of $140,218.00, and to indemnify the State Executive Office on Aging, for the provision of Aging and Disability Resource Center (ADRC) Services, subject to the allotments to be made by the Director of Finance, State of Hawai'i, pursuant to Chapter 37, Hawai'i Revised Statutes, for the period July 1, 2026 through June 30, 2027.

Councilmember Kuali'i moved to approve C 2026-221, seconded by Councilmember Bulosan.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to approve C 2026-221 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-222 Communication (08/14/2026) from the County Engineer, requesting Council approval to receive reimbursements for travel-related expenses from the Hawai'i Local Technical Assistance Program (LTAP), estimated to range between $150.00 to $350.00 per Department of Public Works staff per travel day, attending various off-island training events sponsored by the United States (U.S.) Department of Transportation, Federal Highway Administration (FHWA) and/or the Hawai'i Department of Transportation (HDOT), to be used for registration fees, airfare, baggage fees, hotel/lodging, rental cars, and Uber/Lyft (excluding driver tips).

Councilmember Kuali'i moved to approve C 2026-222, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to approve C 2026-222 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-223 Communication (08/18/2026) from the Executive on Aging, requesting Council approval to receive and expend State funds in the amount of $50,000.00, and to indemnify the State Executive Office on Aging, for the Healthy Aging Partnership (HAP), which will be used towards Better Choices Better Health (BCBH) and Enhance Fitness (EF), proven effective through evaluation, demonstrating their ability to improve the health and well-being of older adults or reduce disease, disability, and/or injury, subject to the allotments to be made by the Director of Finance, State of Hawai'i, pursuant to Chapter 37, Hawai'i Revised Statutes, for the period July 1, 2026 through June 30, 2027.

Councilmember Kuali'i moved to approve C 2026-223, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to approve C 2026-223 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-224 Communication (08/19/2026) from Makana A. Rivera, Assistant Chief of Police, requesting Council approval to accept the indemnification and unspecified future obligation sections contained in the San Diego Community College District's Application for Use of College District Property, to allow the Kaua'i Police Department (KPD) to utilize facilities conducting pre-employment testing for potential new hires, including the police written examination and physical readiness/standards testing.

Councilmember Kualiʻi moved to approve C 2026-224, seconded by Councilmember Cowden.

Council Chair Rapozo: Is there any discussion or public testimony?

Councilmember Cowden: I have simple questions. I think this is new for our Kauaʻi Police Department (KPD). I believe we have about thirty (30) open positions for officers; is that correct?

There being no objections, the rules were suspended.

MAKANA A. RIVERA, Assistant Chief of Police: Yes.

Councilmember Cowden: You have to state your name.

Mr. Rivera: For the record, Assistant Chief Makana Rivera, KPD. Yes, our vacancy rate is somewhere around there. This event is one of a couple that Chief of Police Rudy Tai has identified as an opportunity for us to branch out and try to increase our recruitment efforts.

Councilmember Cowden: This is an event that is drawing people from Polynesian areas…can you say what the name of the event is?

MATTHEW TAVARES, Lieutenant: Matt Tavares, for the record. It the Pacific Islander Festival in San Diego…(inaudible) granted it is allowed, I estimated about a couple thousand people per day that can be passing by, so, hoping to persuade some people.

Mr. Rivera: It is a two-day event and when I looked at last year's numbers, they estimated about two hundred thousand (200,000) people cross through there in a two-day period.

Councilmember Cowden: When I look at that, it sounds like an effort to repatriate some people with Hawaiʻi roots to maybe come home and be police officers, so it is a win-win.

Mr. Rivera: Absolutely, yes. The first one is the Pacific Islander Festival Association in San Diego and then the second event is a job fair in Las Vegas where we know a lot…

Councilmember Cowden: The "ninth (9th) island."

Mr. Rivera: …of our family members have moved to. We hope to entice some of those former residents to move back.

Councilmember Cowden: Okay. I want to acknowledge the creativity of that because is it correct that what we talked about in our Police Commission meetings is the need to find more broad recruitment, and so this would be in alignment with what has been discussed in the Police Commission Meetings and our

strategy to find more officers, be able to bring more people in, because we have not been able to have the type of numbers…this is an effort to make that happen.

Mr. Rivera: Absolutely. We have been asked to be creative in our recruitment efforts. We, obviously, try to recruit our local employees as much as possible, we have been doing that for years. This is just an additional effort to increase those numbers.

Councilmember Cowden: Okay, well, I value that. I particularly value the fact that we are going after people who have a tie to the islands already. It hits goals and objectives that we have as a community to bring people home. Thank you.

Council Chair Rapozo: Thank you. Are there any further questions for KPD? If not, thank you very much.

Mr. Rivera: Do you want us to stay for the next agenda item?

Council Chair Rapozo: It is the same thing.

Councilmember Cowden: Yes, you answered for both.

Council Chair Rapozo: Is there anyone in the audience wishing to testify? Is there any further discussion? Councilmember Kualiʻi.

There being no public testimony, the meeting proceeded as follows:

Councilmember Kualiʻi: I wanted to say that I think the television advertisements are amazing, and we are attracting some people with that. Another suggestion I want to throw out is that I am a Hawaiian Homesteader living in Anahola, and I also advocate for people on the waitlist, so I think if you check with the State Department of Hawaiian Home Lands (DHHL) and reached out to maybe some of the *ʻohana* on the continent, especially in California, Southern California where you are going to be, that might be a potential place for recruiting some new officers as well.

Mr. Rivera: Thank you.

Council Chair Rapozo: Councilmember Holland.

Councilmember Holland: Thank you to Chief of Police Tai for the efforts in recruitment. I love that is a focus of his and I am excited to see this go forward.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: I appreciate the effort when we are looking outside the islands to try and bring people who have a heritage within the islands, so I value that.

The motion to approve C 2026-224 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-225 Communication (08/19/2026) from Makana A. Rivera, Assistant Chief of Police, requesting Council approval to accept the indemnification and unspecified future obligation sections contained in the Clark County School District Regulations, Terms of Use, Facility Rental Guidelines, and Facilitron Terms and Conditions, to allow the Kaua'i Police Department (KPD) to utilize the facility in Nevada as an off-island testing location for prospective police officer applicants as part of KPD's recruitment and hiring process.

Councilmember Kuali'i moved to approve C 2026-225, seconded by Councilmember Carvalho.

Council Chair Rapozo: This is the same identification, just a different location for the County. Is there any discussion?

Councilmember Cowden: I just have one (1) comment. I want to say when I travel Hawaiian Airlines in Las Vegas, there are more Hawaiians than Līhu'e Airport, so I get why we would pick that town.

Council Chair Rapozo: Thank you. Do you want to testify?

There being no objections, the rules were suspended to take public testimony.

YELENA OKHMAN: Good morning. About recruiting...this is Yelena Okhman. I have been talking about going to high schools to talk to the kids to invite them to stay on Kaua'i, explain that there are positions available, and then they can stay on Kaua'i and do a lot of good difference for the island, and also have a good salary. Just make the effort and visit six (6) months before the graduation, so maybe the beginning of the last year and then it will make a difference. I see it as many local kids do not know that positions like these exist.

Council Chair Rapozo: Is there any further public testimony?

There being no further public testimony, the meeting was called back to order, and proceeded as follows:

The motion to approve C 2026-225 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-226 Communication (08/19/2026) from the Executive on Aging, requesting Council approval to receive and expend State funds, in the amount of $501,067.00, and to indemnify the State Executive Office on Aging, to be used by the County of Kaua'i, Agency on Elderly Affairs for the Kūpuna Care Program, to provide case management services, adult day care, assisted transportation, chore services, homemaker services, kūpuna care transportation, personal care, home-delivered

meals, respite care, and caregiver support services, for the period of July 1, 2026 through June 30, 2027.

Councilmember Kualiʻi moved to approve C 2026-226, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

Councilmember Cowden: I want to make a comment that I appreciate that...

Council Chair Rapozo: Hang on. Is there anyone in the audience wishing to testify? If not, Councilmember Cowden.

There being no public testimony, the meeting proceeded as follows:

Councilmember Cowden: I appreciate that there is five hundred thousand dollars ($500,000) set aside because we have quite a lot of *kūpuna* who need it, so I am just seeing that reflection as it grows in the requirement that we have had, so that we can address the problem.

Council Chair Rapozo: Thank you. Is there any further discussion?

The motion to approve C 2026-226 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-227 Communication (08/25/2026) from the Director of Finance, requesting Council approval of an Intergovernmental Agreement between the County of Kauaʻi, the County of Maui, and the County of Hawaiʻi, to provide temporary assistance with the County of Kauaʻi's property ownership transfer workload, allowing qualified personnel from the counties of Maui and Hawaiʻi to assist while the County of Kauaʻi's personnel is on extended leave, addressing the existing backlog of ownership transfer work and help maintain timely and efficient processing of property ownership changes, exemption applications, and establishing the 2027 assessments.

Councilmember Kualiʻi moved to approve C 2026-227, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

Councilmember Cowden: I want to appreciate the Finance Department getting back to me. The person who was on extended leave is back now and we have similar software, we have the same software as the other places, so we just want to be really caught up and in place especially with the fire. I see Scott here; I do not know if he wants to say anything.

Council Chair Rapozo: Thank you. Is there any further discussion?

The motion to approve C 2026-227 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-228 Communication (08/28/2026) from the Director of Finance, transmitting for Council consideration, A Bill For An Ordinance To Amend Ordinance No. B-2026-917, As Amended, Relating To The Operating Budget Of The County Of Kaua'i, State Of Hawai'i, For The Fiscal Year July 1, 2026 Through June 30, 2027, By Revising The Amounts Estimated In The General Fund, which provides for the purposes of funding the Department of Finance/Administration – Claims and Judgments, General Liability.

Councilmember Kuali'i moved to receive C 2026-228 for the record, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to receive C 2026-228 for the record was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-229 Communication (08/28/2026) from the County Engineer, requesting Council approval to apply for, receive, and expend United States Department of Housing and Urban Development (HUD) Pathways to Removing Obstacles to Housing (PRO Housing) program, administered through the State of Hawai'i Office of Planning and Sustainable Development (OPSD), funds in the amount of $1,500,000.00, which will be used to help offset the cost of an upcoming Līhu'e Wastewater Treatment Plant (WWTP) Process Upgrades Package 2A project, which involves improvements to the existing aerated solids contact tank.

Councilmember Kuali'i moved to approve C 2026-229, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony? I want to thank the County Engineer and the Department of Public Works for seeking out these funds. One million five hundred thousand dollars ($1,500,000) will be used to offset the cost of the improvements of the Līhu'e Treatment Center.

There being no public testimony, the meeting proceeded as follows:

The motion to approve C 2026-229 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2026-230 Communication (09/02/2026) from Ka'āina S. Hull, Clerk of the Planning Commission, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 8, Kaua'i County Code 1987, As Amended, By Establishing A New Article Relating To Condominium Property Regimes.

Councilmember Kuali'i moved to receive C 2026-230 for the record, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to receive C 2026-230 for the record was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please. Just for the public's information when we get a bill, because I see a questioned look in some of your faces, when a bill comes here and it goes across to the Planning Commission, they come back with a new bill. It gets a new bill number, so the original bill we send over is received, and now later in the agenda, you will see the new bill with the recommendations from the Planning Commission.

C 2026-231 Communication (09/03/2026) from the Deputy Planning Director, requesting Council approval to receive and expend Federal/State funds for the Hawai'i Coastal Zone Management (CZM) Program in an amount up to $210,000.00, and to indemnify the State of Hawai'i in accordance with the State of Hawai'i General Conditions (AG-008 103D) for administering the subject program. This recurring pass-through grant funding will be used to continue the implementation of the CZM Program on Kaua'i commencing July 1, 2026 to June 30, 2027, and will be expended on special projects, travel, equipment, and supplies for the CZM Program, specifically for the continued implementation and enforcement of the Special Management Area Rules and Regulations of the County of Kaua'i and Shoreline Setback provisions of Chapter 8, Kaua'i County Code 1987, as amended.

Councilmember Kuali'i moved to approve C 2026-231, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony? This was a recurring grant that is basically a passthrough grant from the State.

There being no public testimony, the meeting proceeded as follows:

Council Chair Rapozo: The motion carries. Next item, please.

The motion to approve C 2026-231 was then put, and unanimously carried.

C 2026-232 Communication (09/14/2026) from the Managing Director, requesting Council approval to accept a donation from Unlimited Construction, of temporary use of a 40 foot portable office trailer, valued at approximately $1,200.00

per month, which will allow the County to temporarily establish office spaces for employees who normally work in the Kapule Building, following the fire at the Kapule Building that destroyed or caused damage to the office spaces at the Department of Motor Vehicles (DMV), Real Property Tax Division, Planning Department, Wastewater Division, and Information Technology (IT) Division.

Councilmember Kualiʻi moved to approve C 2026-232 with thank-you letter to follow, seconded by Councilmember Bulosan.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no objections, the rules were suspended to take public testimony.

Mr. Hart: For the record, Bruce Hart. Is this part of our effort to be able to bring those departments, which were shut down because of the damage by the fire…we are trying to bring them up? Okay. Thank you.

Council Chair Rapozo: Is there anyone else in the audience wishing to testify?

There being no further public testimony, the meeting was called back to order, and proceeded as follows:

Council Chair Rapozo: That is the exact purpose for this, which is to resume both services that…or partially resume the services that were affected by the fire. I encourage people who have questions with the Real Property Division or the Division of Motor Vehicles (DMV), to stop by the trailer that is right out here in the parking lot. They are open every day with staff available.

The motion to approve C 2026-232 with thank-you letter to follow was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

CLAIMS:

C 2026-233 Communication (08/19/2026) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Allstate Insurance Company as subrogee of Natalie Rein, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kauaʻi.

C 2026-234 Communication (08/26/2026) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Michael Tresler, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kauaʻi.

C 2026-235 Communication (08/27/2026) from the County Clerk, transmitting a claim filed against the County of Kauaʻi by Troy and Renee Johnston, for the cost and interest to install meter service connection, and for non-economic damages including nine (9) years without a water meter and the ability to apply for

a residential building permit, many hours spent navigating an overly complicated and very lengthy process, the economic disadvantage of not having the money used elsewhere, and the financial stress and hardship this unnecessary process caused, pursuant to Section 23.06, Charter of the County of Kaua'i.

Councilmember Kuali'i moved to refer C 2026-233, C 2026-234, and C 2026-235 to the Office of the County Attorney for disposition and/or report back to the Council, seconded by Councilmember Cowden.

Council Chair Rapozo: Is there any discussion or public testimony? Mr. Hart, is there a specific claim that you want to testify on?

There being no objections, the rules were suspended to take public testimony.

Mr. Hart: C 2026-235. For the record, Bruce Hart. In regards to C 2026-235. I have an interest in this particular claim. I wanted to mention that recently there was an article in Civil Beat about how the County of Kaua'i that we seemed to be the only County where the government refused or made it difficult to obtain public documents. Actually, I have requested many public documents, and I have not ever really had a problem. I think for the public's information that the County and all government has a duty and responsibility to see to it that personal information within any of these government documents must be redacted. That is for the safety of the people whose personal information could be made public. Identity theft is a reality in today's world and your public safety. There are some bad characters who find your personal information would use it against you. Other than that, many years ago, over a decade ago, the Hawai'i State Supreme Court made a decision that all government documents are open to the public, except for the redaction of personal identifying information, and I want to mention in particular, because I had many questions put to me about it over the years, and I had personal doings with it that a police department incident report can be withheld by the police, according to...

Council Chair Rapozo: Mr. Hart, I need to stop you there, because the item is the actual claim.

Mr. Hart: Okay.

Council Chair Rapozo: Not...

Mr. Hart: Okay, too broad?

Council Chair Rapozo: Yes, you are going into the Sunshine Law, public record law...but if you had concerns or testimony on this specific claim by the Johnstons...

Mr. Hart: I do in regards to that, Council Chair, and I understand that I am too broad, but in regards to this, I read this complaint. Staff was really good, they got it to me on the same day. I read this complaint and I am wondering what happened, so I will probably follow up. Thank you.

Council Chair Rapozo: Thank you. Is there anyone else wishing to testify on the claims?

There being no further public testimony, the meeting was called back to order, and proceeded as follows:

The motion to refer C 2026-233, C 2026-234, and C 2026-235 to the Office of the County Attorney for disposition and/or report back to the Council was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

COMMITTEE REPORTS:

FINANCE & ECONOMIC DEVELOPMENT COMMITTEE:

A report (No. 2026-18) submitted by the Finance & Economic Development Committee, recommending that the following be Approved on second and final reading:

"Bill No. 3000 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 15 BETWEEN JULY 1, 2025 AND JUNE 30, 2029," and

A report (No. 2026-19) submitted by the Finance & Economic Development Committee, recommending that the following be Approved on second and final reading:

"Bill No. 3001 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2026-917 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 *(Temporary Voter Service Center Workers – $50,000.00)*,"

Councilmember Kualiʻi moved for approval of the reports, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion for approval of the reports was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

RESOLUTION:

Resolution No. 2026-26 – RESOLUTION APPROVING A STATE BILL RELATING TO EMERGENCY MANAGEMENT FOR INCLUSION IN THE 2027 COUNTY OF KAUA'I LEGISLATIVE PACKAGE

Councilmember Kuali'i moved for adoption of Resolution No. 2026-26, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony? Councilmember Cowden.

Councilmember Cowden: Do you want to know what the Resolution is about? Are we there?

Council Chair Rapozo: I am sorry. I thought we were on Committee Reports. Okay, yes, I will turn it over to you, Councilmember Cowden.

Councilmember Cowden: This is for our Hawai'i State Association of Counties (HSAC) legislative package.

Council Chair Rapozo: Correct.

Councilmember Cowden: This Resolution is to reintroduce a bill that relates to emergency management and I want to just read a little bit of SECTION 1; this went all the way to the finish line last year through the Legislature, so there nothing has changed from what went to the very last week of the Legislature. This is to put some limits on emergency proclamations. "SECTION 1. The legislature finds that it is necessary to reestablish the proper constitutional framework of checks and balances and separation of powers between the legislature and the executive branch with respect to the enactment of laws to address important issues of public policy. Article III, section 1, of the Hawai'i State Constitution vests the 'legislative power of the State' in the legislature. Article V, section 5, of the Hawai'i State Constitution gives the governor the responsibility 'for the faithful execution of the laws' that are enacted." I will read just a little more. "The legislature further finds that the decision of the Hawai'i Supreme Court in Nakoa v. Governor of the State of Hawai'i, 156 Hawai'i 416, 575 P.3d 506 (2025), threatens to upset this vital constitutional balance. The Hawai'i Supreme Court interpreted chapter 127A, Hawai'i Revised Statutes, to grant the governor emergency powers, including the power to suspend laws enacted by the legislature, to address 'conditions that threaten substantial harm to Hawai'i's people, property, and environment', including but not only discrete, sudden events, but also 'long-term issues', such as the nearly century-long shortage of affordable housing in Hawai'i." They added two (2) new definitions: catastrophic harm and severe weather warning. An emergency proclamation can be really sort of vague and oblique and it can last as long as the governor or the mayor wants it to last. This is just reigning in that power a little bit, to allow the Legislature to have a sixty-day review routinely. The governor or the mayor has to reenact it every sixty (60) days. What we had, even in 2026, dozens of emergency proclamations, and there is a lot of good reason for doing it, I want to give acknowledgement to our mayor right

now that something he put out, I believe it was yesterday of allowing people to not have to go through the entire permitting process to fix damage that happened during Hurricane Lowell. There are really valuable pieces and it does not take away the power of the mayor or the governor to be able to put elements in that replace what is normally required of the Legislature to either second or to follow what has been established, like the permitting process and what people need. There is a really good place for the emergency proclamations, it is just how long and how often. This is something that the Legislature did last year to rein that in, and I think it is something worth HSAC to look at to support and have this reestablished. It would have to be reintroduced, because this is the end of a two-year Legislative session, and so that is what this is. Do you have any questions?

Council Chair Rapozo: Councilmember Holland.

Councilmember Holland: Did the measure die in conference?

Councilmember Cowden: Conference is that last week, right?

Councilmember Holland: Usually after measures go through both House and the Senate…

Councilmember Cowden: It went to both sides.

Councilmember Holland: …it would go to Conference Committee.

Councilmember Cowden: Yes, it died there like two (2) or three (3) days before the end of the whole season, but it had gone back and forth. There were many amendments to it, and I followed it through the entire process. It was robustly discussed and a lot of input had come in and so they had come up with a pretty good plan by the end of the season, and it just did not quite make it. I was not actually really sure why because I was paying attention and working with the Public Access Room, but it did not make it at the very end. It just somehow did not get passed.

Councilmember Holland: In Conference?

Councilmember Cowden: In Conference. Did you have a question, Councilmember Kualiʻi?

Council Chair Rapozo: Councilmember Kualiʻi.

Councilmember Kualiʻi: Do we know if the governor would have supported it? Did he support it?

Councilmember Cowden: I do not know, but I would probably guess he would not have because he is generous with making emergency proclamations, I believe there were more than ninety (90) made by August. I do not know how many there have been now, and a lot of them are really necessary, right? We have a lot of weather-related, disaster-related, but this already because of the fact that our Constitution, unlike any other in the country, comes from a constitutional monarchy,

so our governor and mayor have power like a king. As we learned from the National Association of Counties (NACo), we have the strongest executive branches in the entire country, because we were a constitutional monarchy. Very often these emergency proclamations can effectively remove the power of the Legislature and so people in the Legislature have felt that has been a problem.

Councilmember Kualiʻi: Procedurally, right, all four (4) counties have to pass the Resolution and then it goes in the legislative package.

Councilmember Cowden: That is correct.

Councilmember Kualiʻi: Are we the initiating county? Do we know if others are onboard with the process?

Councilmember Cowden: We are the initiating county.

Councilmember Kualiʻi: Thank you.

Council Chair Rapozo: The first part of this is the prohibition to suspend 92F, which is the Sunshine Law, Public Open Records Law. Do you know what the reasoning was and why that was done to begin with?

Councilmember Cowden: Can you tell me which?

Council Chair Rapozo: It is the first amendment on your Resolution, the very first one.

Councilmember Cowden: The very first one. So, I am looking at page 2?

Council Chair Rapozo: Yes. "Suspension of access to certain records; prohibited."

Councilmember Cowden: Okay. "(a) The governor or mayor shall not, through any proclamation or declaration of emergency, or any rule or order adopted pursuant to this chapter, suspend or deny access, under the authority of this chapter, to: (1) Records pursuant to chapter 92F"...I would have to really look that one up... "(2) Vital records or statistics pursuant to section 338-18." What I think was happening is that...this was probably several years back, probably in the COVID-19 era, they were not allowed to even look at what was the rationale behind decisions that were made, so they were not only not allowed to have a say, they were not allowed to even look at what was informative of it. This only would be...the group would have to vote on it. You think if we were in wartime or something, there are some very serious emergencies that can happen, but at some point, you need to check on how long and how profoundly. The executive branch could just hold the legislative branch from having an opinion.

Council Chair Rapozo: Okay. I happen to agree with that. I did not see the rationale to *shut off* the public from meetings and all of that. The other concerns I have are these two (2) new definitions: catastrophic harm and severe

weather warning. I am trying to apply that to today. Catastrophic harm is expanding the scope of the genesis of the proclamation to basically say that it means, "extraordinary levels of loss of life, mass casualties, or life-threatening physical injury to a large numbers of persons, or the sudden failure or destruction of critical infrastructure…" Severe weather warning, basically, is the same thing, where you have to have these mass impacts. When we amend the definition of disaster, this Resolution is saying, "the occurrence or imminent threat," which used to say, "thereof, which results or may likely result in loss of life, property, or environment." You are replacing that with, "of widespread or severe damage, injury, or loss of life, property, or environment." My concern is that you mentioned Mayor Kawakami issued an emergency proclamation which allowed people to rebuild without permits and without fees. Yesterday, the governor issued a supplemental emergency proclamation that extended the expiration dates for driver's license renewals. I am wondering if that would fit in with these definitions.

Councilmember Cowden: I believe it would in that…we just had a hurricane hit our island. When you look at some of the wording in 127A-13(a), "In the event of a state of emergency declared by the governor pursuant to section 127A-14, the governor may exercise the following additional powers pertaining to emergency management during the emergency period: (1) Provide for and require the quarantine…" it gives a lot of different elements, such as quarantining people. They can take a property away, but what it says is, "in any case where, in the governor's opinion, the existing laws are not adequate to assure the public health and safety; provide for the care and treatment of the persons." Repeatedly in 127A, it talks about where there, "…is a source of contamination or is in a dangerous condition in any case where, in the governor's opinion, the existing laws are not adequate to assure the public health and safety, and designate as public nuisances acts, practices…" If you read through HRS 127A, it just gives an extreme amount of authority, because when they say, "in any case where in the governor's opinion," it does not say anything like, "in any case where the governor can show facts and circumstances," there is nothing. When they use the word "opinion," it is so vague. This is in HRS 127A.

Council Chair Rapozo: Yes, that is what we have right here. I am looking at 127, but I am trying to find…your Resolution is urging the State to amend 127, so I have the entire thing here.

Councilmember Cowden: Well, it is a very long one.

Council Chair Rapozo: Can you reference the paragraph?

Councilmember Cowden: Let me find it. I just pulled it up on my phone.

Council Chair Rapozo: It is in your packet.

Councilmember Cowden: I know. I was just looking at the existing law. Okay, like for example on page 9, because this is in here quite a lot. I just flipped to a page, because it is used regularly. If you begin on line 7 on page 9, it says, "(11) Assure the continuity of service by critical infrastructure facilities, both publicly and privately owned, by regulating or, if necessary to the continuation of the service

thereof, by taking over and operating the same; and," so, now I am on line 12, "(12) Except as provided in section 134-7.2, whenever in the governor's opinion, the laws of the State do not adequately provide for the common defense, public health, safety, and welfare, investigate, regulate, or prohibit the storage, transportation, use, possession, maintenance, furnishing, sale, or distribution of, as well as any transaction related to, explosives, firearms, and ammunition, inflammable materials and other objects, implements, substances, businesses, or services of a hazardous or dangerous character, particularly capable of misuse, or obstructive of or tending to obstruct law enforcement, emergency management, or military operations, including intoxicating liquor and the liquor business; and authorize the seizures and forfeiture of any objects, implements, or substance unlawfully possessed, as provided in this chapter. (b) In the event of a local state of emergency declared by the mayor pursuant to section 127A-14, the mayor may exercise the following additional powers," I decided to grab where it is here, but what I am looking at is…

Council Chair Rapozo: I read all of that, but your Resolution is not…you are not deleting that, you are leaving that in.

Councilmember Cowden: I am saying where they have…what they have done with those definitions like you brought up, those definitions, they are saying there needs to be catastrophic harm, severe weather warnings, there needs to be something rather than a housing crisis, an economic crisis, or a health crisis. It needs to be more than an opinion is really how this all ties in. Because it is just so vague, you can keep extending an emergency for two (2) years or more.

Council Chair Rapozo: I am just saying that the Resolution or bill that we are proposing the Legislature to pass does not change the governor's opinion option; it is there. This is not going to alter. The fact that what is in there now, it says, "'Disaster' means any emergency, or imminent threat thereof, which results or may likely result in loss of life, property, or environment…"

Councilmember Cowden: But that is…

Council Chair Rapozo: That is what is in there now.

Councilmember Cowden: But they do not have this catastrophic harm. They do not have the severe weather warning.

Council Chair Rapozo: Okay.

Councilmember Cowden: The governor can currently declare an emergency…

Council Chair Rapozo: Did this come from HSAC? Did HSAC propose this?

Councilmember Cowden: This was something that went through the Legislature.

Council Chair Rapozo: Yes, I know, but this Resolution here. Was it at the request of HSAC?

Councilmember Cowden: No. It is my request.

Council Chair Rapozo: Okay.

Councilmember Cowden: Because I watched it through the entire season.

Council Chair Rapozo: Yes, I think we all did. It was on the news every night.

Councilmember Cowden: This particular bill?

Council Chair Rapozo: Yes. It was a pretty popular bill during the time.

Councilmember Cowden: Okay. I do not have regular television.

Council Chair Rapozo: Are there any further questions for Councilmember Cowden? If not, is there anyone in the audience wishing to testify?

There being no public testimony, the meeting proceeded as follows:

Council Chair Rapozo: Oh, I am sorry. Come up.

There being no objections, the rules were suspended to take public testimony.

Ms. Okhman: *Aloha*, Councilmembers. Yelena Okhman, for the record. As a community member, I am grateful that you are bringing it to our attention, that bills like that in the State when the governor has so much right, like everything is being governor on all levels, so it is good to look into the descriptions of how emergency is being declared on what circumstances. It is a good point. And to clarify what exactly and how exactly we are going to be dealing with that, especially when people will be out of Sunshine Law, so it is also a big question mark. We have to be very clear about when we can be cut off as we had several examples in the past, COVID-19. Certain circumstances, we need to have clarity. Thank you, Councilmember Cowden.

Council Chair Rapozo: Thank you.

Mr. Hart: For the record, Bruce Hart. I appreciate that this has come to the floor, but this subject is important…I do not know that…I think I have a good concept of the entire issue nationwide, and I have for many, many presidencies been very concerned about executive orders and how, in my opinion, they are being abused, even by the current president. I understand then coming back to the state and county levels that it is somewhat the same issue and it better be of concern to every legislative body, because when the original constitution was written,

it was the legislative body that was supposed to make law or enact law. The administrative branch, which was supposed to enforce law, and the overlapping is inevitable and was intended but the separation was just as important, if not more important. The problem as I see it at the current time speaking on this particular Resolution in the State of Hawai'i is that too much power...there is a desire to concentrate too much power in one (1) person. I do not see the problem if you have good departmental heads, you have people of competence and responsibility in each division that they cannot make decisions in regards to the safety and welfare of the public during a time of emergency. I do not know if it is a tendency of the flesh or whether it is something nefarious or whether it is just laziness and it is easier to concentrate power in one (1) person, but that is the direction that we are going in and I do not think that is a good idea. Thank you.

Council Chair Rapozo: Thank you. Is there anyone else wishing to testify? Is there any final discussion? Councilmember Cowden.

There being no further public testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Cowden: I chose the very last version of the bill, that made it all the way to the finish line, I actually had a few changes that made it into this bill, and I had a few that did not. In the few that did not was changing the word "opinion" to be "based on facts and circumstances." I had another one, obviously about forced inoculations that I did not feel that was a rightful thing to do. Those did not make it into the bill. This is not the ideal bill that I would want. I chose the bill that ended the Legislative term last time, because it had the agreement of both the House and Senate for the most part. I thought if it started the year, where it was at, and I think the entire COVID-19, couple of years we went through where we crushed about thirty percent (30%) of our small businesses, we lost a lot of our people, there were many impacts that happened that in retrospect do not look like they were as necessary to people who made those decisions thought they were. It might have been worth having a group discussion a year or two into the process and that was not something that was capable. I felt that was really clear example of why there needs to be a group decision rather than a unilateral decision on how we manage something like that. I chose what the Legislature ended with and did not insert my own perspectives. I went from something that in my view does not go strongly enough, but where there were all at. That is why I picked this.

Council Chair Rapozo: Thank you. Councilmember Kaneshiro.

Councilmember Kaneshiro: Councilmember Cowden's last comment brought up a question. You brought up COVID-19 and businesses, how does this bill change anything that would have happened in the past?

Councilmember Cowden: Tremendously, because we basically put our economy on lockdown where people could not necessarily travel or go or have different people in. This was something that lasted quite a long time in that example and it was under HRS 127A-13 that it was implemented.

Councilmember Kaneshiro: What changes in here would prevent that from happening again or slow it down or give someone else the authority to stop it?

Councilmember Cowden: The main thing that this does is that the Legislature can call a vote and can decide, "No"—that is the main thing that this bill does. It changes it to allow for the Legislature to have a voice. On page 12, HRS 127A-14(b), states, "State of emergency or local state of emergency shall terminate automatically sixty days after the issuance of a proclamation of a state of emergency or local state of emergency, respectively," now, this is what is existing, "unless extended or terminated by a separate or supplementary proclamation of the governor or mayor." The way it is now that the governor or mayor can just keep, on their own opinion, in any case where the deem of value, they can just continue to extend it. They can extend it indefinitely. What is added is, "The governor or mayor shall proclaim the termination of a state of emergency or local state of emergency, respectively, at the earliest possible date that conditions warrant. (e) The legislature may, by an affirmative vote of a simple majority of the members to which each house is entitled, terminate a state of emergency, in part or in whole, declared by the governor pursuant to this section. (f) The county council may, by an affirmative vote of a simple majority, terminate a local state of emergency, in part or in whole, declared by the mayor pursuant to this section." That is what is happening in the national level when the Congress is saying, "Hey, we do not want to stay in war." This allows the Legislature to say, "We have been doing this for one and a half years, seems like the emergency is over, and we are taking a vote and say the emergency is over." When the lava flow has run over an entire town or there is a real obvious problem, and that is why they put, "Catastrophic harm" when you have a tidal wave, when you have a dam break, when you have some real clear problem that has happened, it is not likely at all that anyone would be trying to change it, but when it is an existential thing when they say, "Yes, we do not want people coming to the island, we do not want people to be able to travel or go into a building. We do not want to do that and we are going to hold that for two (2) years or as long as we want." This allows the Legislature to say, "Hey, wait a minute, let us talk about this. Maybe this is longer than the situation warrants." This gives the balance of power where you have the legislative branch, which is either the State Legislature or the County Council to say, "Enough, it has been one and a half years. What the problem is, is not urgent any longer." This gives power back to the people because the legislative branch is a reflection of the people and at least there is a group to have a conversation rather than to just have to sit and go with it. I remember when we declared an emergency piece, it was former Councilmember Ross Kagawa who said, "I do not know when this will ever end." It was really led by the State. Our State had a much heavier influence than almost any other state in the nation. We are a unique place, so that is not quite surprising, but this just allows a balance of power when we already have a very limited balance of power in the State because of the structure of our constitution. That is what the Legislature tried to do last year. I did not stimulate their effort, but I participated and paid attention. It did not get taken as far as I would have liked.

Council Chair Rapozo: I think the two (2) big components of this bill, the beginning and the end, the suspension of the open document law, the Sunshine Law, is how this opens up and then the closing is what the Legislature was trying to push. They wanted input on the emergency proclamations, and they had no power.

They absolutely had no power and in my opinion that is probably why this never got through because the governor's influence was very strong. All of this started, I was really Governor Ige who was the one. I know this because I requested a list of names, and I was not on the Council at the time, but I wanted a list of the names of the people and the minutes of a task force meeting that they had put together. I received the form letter back from the State saying, "Sorry, 92F is suspended," and I was quite frustrated. I fully support the first opening of this amendment because I think there really are very limited times that I believe the open records law should be suspended. I do not see how we can justify that and regardless of what the situation is, the storm right now, he did not suspend 92F for the storm, so for whatever reason they had their reasons, so I fully support that...now, the public should expect delays, like right now, Mr. Hart, you mentioned our staff, of course our staff is fabulous, you received your request on the same day, but if you were to put in a records request right now for any other agency, especially those that got affected by the fire, to expect it back within the 10-day requirement that the law states is...you are not going to get it. I fully support that. The legislative interaction with the Administration as far as how long and...I think you will not see this challenged in any normal disaster; you will just not. No Council is going to say, "No, Mayor Kawakami, we want you to end the exemption of fees and permits for"...for by the way, I wanted to say, the rebuilding of your homes and I am going to through this in here, because I do not want people to...these are for homes that are not shoreline properties.

Councilmember Cowden: Yes.

Council Chair Rapozo: Not shoreline properties. Shoreline properties, fixing, requires a Special Management Area (SMA) permit; I just wanted to get that in there, because I do not want to hear, "No, the Council said we can."

Councilmember Cowden: Thank you.

Council Chair Rapozo: I am going to support this to get this to HSAC and Councilmember Carvalho is the Kaua'i representative, they will hash this out, and check it out. Councilmember Kuali'i.

Councilmember Kuali'i: Councilmember Kaneshiro asked about the COVID-19 issue, I would ask about the long-term affordable housing issue and how in essence did the governor not respond to the Maui fires to this so that we could work with housing developers and whatever to expedite replacing housing for all of the victims of the Maui fires. In the third "whereas," where you talk about the Supreme Court, the Supreme Court recognizing that, yes, there are all these disaster type, physical emergencies, but also including the long-term issues. In this further additions and clarifications of catastrophic harm, severe weather warning, disaster, does that, in essence, then make the law clear so that the judiciary, the Supreme Court, does not give the governor that power or interpreting that way?

Councilmember Cowden: I read it as the Supreme Court is saying to the Legislature, "Make it work."

Councilmember Kuali'i: But it is a start, the governor has powers including the power to suspend laws, enact other legislation conditions, but also long-term…

Councilmember Cowden: Right, so I felt that the court is saying to the Legislature…

Councilmember Kuali'i: You still have a role.

Councilmember Cowden: You need to change 127A if you do not like how it is because…and I am in agreement with the governor that we do have a century-old housing crisis here, it has always been unaffordable, but they are saying if you just say, "Okay, we are going to suspend our building laws because this is a crisis housing," well, if it is something that is ongoing for decades, if not a century, that does not really fit under an emergency power that what we need to do is fix the laws so whatever is the problem. Basically, you have to declare an emergency just to get past all of our bureaucracy, we have so much bureaucracy in place. The Supreme Court is saying, "fix your bureaucracy."

Councilmember Kuali'i: In that instance with the Maui fires, the governor used the Maui fires to declare the emergency, but behind that he also did affordable housing and so did he then intend to leave that open indefinitely?

Councilmember Cowden: The emergency proclamation on the housing happened at the very beginning before the fires happened.

Councilmember Kuali'i: Oh, it was even before that.

Councilmember Cowden: It was before the fires happened. If you have something like a fire, lava flow, flood, it really makes sense that they would have those things. When it is just an ongoing condition…

Councilmember Kuali'i: When the Legislature considered this bill, was that the main discussion? If they were motivated to limit the governor's ability, why did they not pass the bill?

Councilmember Cowden: Well, what I believe the Council Chair just said which is my intuition, but I did not want to put it into words, is the governor probably said, "I will veto it," but I do not know that is what happened. It seemed like it was absolutely moving to pass.

Councilmember Kuali'i: Yes.

Councilmember Cowden: And then it just stopped.

Councilmember Kuali'i: The bottom line here is so we are putting that back out there, now they have another two-year period.

Councilmember Cowden: That is right, just say to keep the conversation going. That is why I did not make it reflect my…

Councilmember Kualiʻi: This is the same bill? You did not add anything.

Councilmember Cowden: I did not add anything. I thought about adding what I want, but then…I know if I put the things that I want, it challenges all of you because we were not in the same position over forced inoculation, which the State did do. For example, you lost your job if you did not take a medical intervention, whether you wanted it or not and what we did end up seeing is it did not matter whether people had it or not, everyone got it, and the unvaccinated did not die, like we were told and the vaccinated still got sick.

Council Chair Rapozo: Let us not get into that discussion.

Councilmember Cowden: Yes, but that is…

Council Chair Rapozo: My concern is really what Councilmember Kualiʻi brought up, does this new language/new bill compromise the governor or the mayor's ability to declare an emergency or sign an emergency proclamation on something like housing or anything?

Councilmember Cowden: Not anything. It certainly would not…an emergency, like a flood, a rain, a war…

Council Chair Rapozo: What about housing? Let us just say Kauaʻi did not have a fire, but we have an extreme housing crisis.

Councilmember Cowden: So, we make this…

Council Chair Rapozo: Does this limit the mayor from declaring an emergency proclamation on housing?

Councilmember Cowden: If the Council did not agree with him. He could put it out there, but the Council could say, "We do not consider that catastrophic."

Council Chair Rapozo: That is where I am concerned with the definitions, because he cannot do it if it does not meet with definition. You say he can put it on and the Council can pull it back, no, I want to make sure…

Councilmember Cowden: We made these definitions and then it says, "Disaster means," instead of any emergency, "the occurrence or imminent threat of widespread or severe damage, injury, or loss of life, property, or environment resulting from any sudden natural or artificial cause, including hurricanes, windstorms, floods, extreme rain events, earthquakes, landslides, mudslides, volcanic activity, tsunamis, fires, explosions, air or water contamination, blight, droughts, infestations, riots, sabotage, hostile military or paramilitary action, hazardous material accidents, disease or contagion outbreaks, bioterrorism,

cyberterrorism, terrorism, or incidents involving weapons of mass destruction, that requires, or may require, assistance from other counties, states, the federal government, or from private agencies. 3. By amending the definitions of "emergency" to read: 'Emergency' means the occurrence or imminent threat of a disaster that causes or may be likely to cause catastrophic harm and immediate danger to the population, substantial damage to or loss of property, or substantial damage to or loss of the environment and that timely action can avert or minimize." Therefore, they are saying that this is a problem and if it is something that takes ten (10) years to solve and it has been a problem for forty (40) years, you cannot just go, "Alright, we have not been able to solve it with the rules that we have so we are going to just set aside rules and we are going to set aside the ability for anyone to look at what is happening." It is basically saying, 127A as currently written, an executive leader can just simply decide, "Okay, I do not like whatever has happened in our legislative past, and I just want to declare an emergency, so we can suspend the related rules that influences what our housing," and in the example of housing, we had the 201H statute that does suspend rules, if there is a development that...

Council Chair Rapozo: It does not suspend them; they just exempt them; big difference.

Councilmember Cowden: Exempt, okay.

Council Chair Rapozo: Emergency proclamation suspends a law. 201H is a law in and of itself, it is not suspending anything, it is exempting.

Councilmember Cowden: 201H actually addressed...

Council Chair Rapozo: Correct.

Councilmember Cowden: ...what an emergency proclamation...

Council Chair Rapozo: But it goes through the legislative process.

Councilmember Cowden: It goes through the legislative process.

Council Chair Rapozo: This is my concern, and again...

Councilmember Kuali'i: But the governor or the mayor is not prevented from declaring a state of emergency, it is just that once they do, the Legislature or the Council have the power to stop it.

Councilmember Holland: Yes.

Councilmember Kuali'i: But the Council or the Legislature would be really sticking their nose out there or their necks out there if it was necessary and the governor made that political and declaration and then the Legislature or the Council made that move or political to stop it, immediately, as opposed to letting it serve its purpose for at least a reasonable period. Then when it gets unreasonable because it is long-term affordable housing for the next ten (10) to twenty (20) years...

Councilmember Cowden: One would have to be creative. If someone was looking at what happened right now, and hopefully we do not have another terrible storm this weekend that causes more flooding and problems, it could be a sitting mayor right now could say, "We had a terrible storm that impacted our wastewater, is likely to really add to our solid waste,"—they would have to show that it does, they could then declare a state of emergency on wastewater and solid waste because we just had these couple of storms that are amplifying the existing weaknesses, but one could not just say, "I want to declare a state of emergency on solid waste and wastewater," because it has been a problem for forty (40) years, which it has. Thirty-five (35), whatever amount of years we want to assigned to it. They could not just arbitrarily declare a state of emergency on something that has been a problem for a long time. I do not think we can ever can declare a state of emergency that prevents the Environmental Protection Act (EPA) on the federal level, which is really the EPA, the Federal Aviation Administration (FAA), all of those things are what mostly impacts our solid waste.

Council Chair Rapozo: I am curious of why whoever drafted this, I guess at the Legislature, this was initiated there.

Councilmember Cowden: It was.

Council Chair Rapozo: Why they decided to remove the broadness of the definition of disaster, which was very broad, and decided to put in every possible disaster known to man in the text. I just think that is bad legislation to begin with, because you cannot anticipate what might happen. It just makes no sense to me because what was basically being called an emergency, now is being specifically down to every single earthquake, landslides, mudslides, everything…mass destruction…

Councilmember Kuali'i: Everything, but aliens.

Council Chair Rapozo: Well, the aliens one is not in here, but if the aliens do arrive, then it does not qualify.

Councilmember Cowden: That could be bioterrorism. You can find a way. What they are saying is with that definition is that it needs to be an imminent threat rather than a dull ache over a century.

Councilmember Holland: What about the imminent threat of people not being able to get their licenses? That does not cover any of the definitions of loss of life, property, or environmental damage, it is not catastrophic harm, and it would cost no lives.

Councilmember Cowden: Being able to get your car license?

Councilmember Holland: Yes. That is an emergency.

Councilmember Cowden: That is an emergency that falls under the storm that we had.

Councilmember Holland: Well, sort of, the destruction of fire.

Councilmember Cowden: That can be an emergency that could fall under…

Councilmember Holland: But if there were no hurricane and the structural fire burned down the Division of Motor Vehicles (DMV), are we saying that the mayor should not have the authority to be able to create a bypass through the licensing process, because it is not going to cause catastrophic harm, no one is going to drop dead because their license expired.

Councilmember Cowden: I think we could say that the building caught fire because of the storm.

Councilmember Holland: We can only say it if it is in this definition.

Council Chair Rapozo: Once the storm is *pau*, to Councilmember Holland's point, like right now, today, there is no imminent threat.

Councilmember Holland: There is no threat.

Council Chair Rapozo: That is my concern if we start to put all these things in a box, then there is no room for that unexpected circumstance that occurs. Again, I think the entire purpose of this bill, at the time, was because of the pandemic, because no Council is going to say no to an emergency proclamation after a storm. I think the entire genesis for this was the time when everyone got blocked out and locked out. I want to make sure that we are passing something…this is not going to the Legislature, this is going to HSAC for consideration to get on the HSAC package, but I want to make sure I understand this thoroughly. I am assuming the County Attorney…

Councilmember Cowden: I do; I have his piece.

Council Chair Rapozo: I want to make sure we are not losing our ability to…like what the mayor just did rightfully so…the driver license was a State… it had to be a State waiver, not the County, but the permitting, I want to make sure this does not take away the ability for the mayor or the governor for that matter, to initiate an emergency proclamation and suspend some of the laws to address specific problems that is an emergency. I want to make sure we are not tying our hands.

Councilmember Cowden: I would say this clearly would apply to this situation. It inadvertently applies to what we are dealing with right now. You could declare an emergency when there is a fire that burns down all of your…

Council Chair Rapozo: But the fire has been done, right, so the emergency proclamation that needs to prevent imminent harm, that is where I am concerned.

Councilmember Cowden: No, this emergency proclamation is to deal with when we have these very imminent situations and the aftermath of it, and I would say this was not written about COVID-19, because this came out last year. It was quite a long time later and this was bipartisan and any of the things that I put in that dealt with those medical elements were not accepted. I had a couple things, I cannot remember anymore, I had a couple things that did not make it, but this was a robust discussion and it was really about the overuse of methods of authority. It was a reaction to the, "it is easy for an executive leader to decide they are going to declare an emergency of whatever they want to declare it on," then it shuts out communication and it basically shuts out the legislative branch. It is an overuse of authority. I am just trying to say, "Let it go back in," because it is something that we need to be able to discuss. I think why not have a discussion and to allow the people to be able to have feedback when something becomes prolonged long after. When we had the 2018 floods, that emergency proclamation lasted for a couple years and I believe it should have, because it took that long to address the problems for the limited people that it impacted. This would not change them.

Council Chair Rapozo: For me, I like the bookends; the first and last parts. The first part, where they cannot suspend 92F unless...and then I like the opportunity for the legislative branch to intervene if the legislative branch...it is just what is between those two (2) is where I have my concerns. Again, it is going to HSAC. I am going to support it going to HSAC. We will submit testimony at the HSAC meeting of my concerns as far as the "guts." I think we need to leave it broad. You leave it broad, but you allow the legislative branches to be able to knock it off if it is not necessary. That is just my personal opinion, but I am not going to stop it, because of that. I will submit testimony. Councilmember Carvalho.

Councilmember Carvalho: I feel that the intent, obviously, is at the forefront. I want to make sure that, like you said Council Chair, we have to make sure that whatever comes to the table, the catastrophic harm and severe weather are the two (2) areas that ties into the whole. Having gone through the whole process in the past, just making sure the ability to make the decision overall is collectively come back in, and so I am supportive, it is just vetting everything out and making sure that when you have to make the decision, you have to do it and go. To me, that is important.

Councilmember Cowden: Yes, I recognize...

Councilmember Carvalho: And that is what the layout is. Anyway, thank you.

Councilmember Cowden moved to amend Resolution No. 2026-26 as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Are you amending the title of the Resolution?

Councilmember Cowden: I am amending the title of the Resolution to say, "RESOLUTION APPROVING A STATE RELATING TO EMERGENCY

MANAGEMENT FOR INCLUSION IN THE 2027 HAWAIʻI STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE."

Council Chair Rapozo: It is just adding a bullet that says, "That the proposed State bill Relating to Emergency Powers, which is attached hereto as "Exhibit A," be transmitted to the Hawaiʻi State Association of Counties."

Councilmember Cowden: Are there any objections or comments on the amendment?

Council Chair Rapozo: Are there any questions or is there anyone in the audience wishing to testify? This is a housekeeping measure.

There being no public testimony, the meeting proceeded as follows:

The motion to amend Resolution No. 2026-26 as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment was then put, and carried by the following vote:

FOR AMENDMENT:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualiʻi, Rapozo	TOTAL – 7,
AGAINST AMENDMENT:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

JADE K. FOUNTAIN-TANIGAWA, County Clerk: Seven (7) ayes.

Council Chair Rapozo: We are back to the main motion. Is there any further discussion? Councilmember Holland.

Councilmember Holland: I tend to agree with some of what you shared on this. Fundamentally, I am strongly in support of having checks and balances provided by the legislative branch. I think that is a critical thing, and I think we have seen that weaken on the federal level substantially. I share concern with the definitions not being broad enough. I do not see how in this the licensing could have been completed because I do not see how that causes catastrophic harm or immediate danger to a population or substantial damage or loss of property, I do not see how that fits in here. I have concerns with the definitions being too specific where I think the power of overriding such a decision by the legislative branch is critical. I support this going back to HSAC for consideration and potentially to the Legislature, again, but I do agree that those definitions should be very clean and broad enough to include a wide variety of needs that might happen even from a random structural fire of something like our DMV. I will be supporting the measure. Thank you.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: I will be supporting it. I am not one hundred percent (100%) in favor of it. I would like the language to be broader. As far as people having a voice, I think they always have a voice. They may not like a decision that someone made but I believe they all have a voice, whether it is the mayor or the

Legislature making the decision, everyone still has a voice. This brings me back to COVID-19 where people were already split on whether we should open or not, but everyone had a voice on it. Whether they liked the decision or not, that is another question. We will see how it goes. At the end of the day, I do not think this will pass. I do not think the governor is going to agree to something like this. He will probably veto it, but let us keep having the conversation going, I guess. I am willing to vote for it to go to HSAC.

Council Chair Rapozo: Councilmember Carvalho.

Councilmember Carvalho: I appreciate the discussion. Of course, the bottom line is bringing it back to HSAC and then having that process happen. I think it is good that we had the opportunity to vet it out, but at the end of the day, it is going to take a vote, and we will go from there. I totally support that.

Council Chair Rapozo: Is this also going over to Mayor Kawakami for the County's legislative package? Is it going to the HSAC package, as well as our County? This says that it is also a resolution to be included in the 2027 County of Kaua'i Legislative Package. I have a little different take if it is going to our Kaua'i Legislative Package, then I am not prepared to support it today.

Councilmember Cowden: We changed it right?

Council Chair Rapozo: No, the amendment added the proposed State bill…I am looking at the amendment right here and the text with the County of Kaua'i is not being removed. I only see where it is being added. Can we take a recess?

There being no objections, the Council recessed at 9:53 a.m.

The meeting was called back to order at 10:05 a.m., and proceeded as follows:

Council Chair Rapozo: The meeting is called back to order. The amendment is fine. The brackets were missing on the amendment, but the brackets…basically the amendment replaces sending this to the County package instead it needs to be considered for the Hawai'i State Association of Counties package. That is where we are at. Councilmember Cowden.

Councilmember Cowden: Thank you all for considering the vote to rein in executive overreach.

Council Chair Rapozo: And to preserve the open record law.

Councilmember Cowden: And to preserve the open record law.

Council Chair Rapozo: Because I think that is the most important part of this measure.

The motion for adoption of Resolution No. 2026-26 as amended to Resolution No. 2026-26, Draft 1 was then put, and carried by the following vote:

FOR ADOPTION:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualiʻi, Rapozo	TOTAL – 7,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

Council Chair Rapozo: Next item, please.

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2986) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAʻI COUNTY CODE 1987, AS AMENDED, BY ESTABLISHING A NEW ARTICLE RELATING TO CONDOMINIUM PROPERTY REGIMES

Councilmember Kualiʻi moved to receive Proposed Draft Bill (No. 2986) for the record, seconded by Councilmember Cowden.

Council Chair Rapozo: This is the Council's original bill. Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to receive Proposed Draft Bill (No. 2986) for the record was then put, and carried by the following vote:

FOR RECEIPT:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualiʻi, Rapozo	TOTAL – 7,
AGAINST RECEIPT:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Council Chair Rapozo: Motion carries. Next item, please.

Proposed Draft 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 KAUAʻI, STATE OF HAWAIʻI, 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)*

Councilmember Kualiʻi moved for passage of Proposed Draft Bill (No. 3003) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for October 28, 2026, and that it thereafter be referred to the Finance & Economic Development Committee, seconded by Councilmember Cowden.

Council Chair Rapozo: Is there any discussion or public testimony? This simply transfers funds over to our claims and judgments account.

There being no public testimony, the meeting proceeded as follows:

The motion for passage of Proposed Draft Bill (No. 3003) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for October 28, 2026, and that it thereafter be referred to the Finance & Economic Development Committee was then put, and carried by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualiʻi, Rapozo	TOTAL – 7,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Council Chair Rapozo: Motion carries. Next item, please.

Proposed Draft Bill (No. 3004) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAʻI COUNTY CODE 1987, AS AMENDED, BY ESTABLISHING A NEW ARTICLE RELATING TO CONDOMINIUM PROPERTY REGIMES *(ZA-2026-5 – Planning Commission Recommendation)*

Councilmember Kualiʻi moved for passage of Proposed Draft Bill (No. 3004) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for October 28, 2026, and that it thereafter be referred to the Planning Committee, seconded by Councilmember Carvalho.

Council Chair Rapozo: Councilmember Holland, would you like to explain your bill before we open it up for…

Councilmember Holland: I do not have a lot to add, it is very similar to the original bill, Proposed Draft Bill (No. 2986). As I talked about at first reading for Proposed Draft Bill (No. 2986) prior it being sent to the Planning Commission, I am very passionate about public access rights. This measure basically just adjusts the condominium property regime (CPR) process to incorporate in the same public access determination process that happens with subdivisions. It is one of the things that can increase our public access over time where people have bypassed that determination. It does not mean that parcels are automatically deemed to need public access, but it goes through that determination period. I am obviously in strong support of that. I am thankful for all the work of the Planning Commission and sending this version back to us.

Council Chair Rapozo: Thank you. Councilmember Cowden, do you have a question of the introducer?

Councilmember Cowden: No, I would like to have the Planning Department up.

Council Chair Rapozo: Okay. May we have the Planning Department up?

There being no objections, the rules were suspended.

KA'ĀINA S. HULL, Planning Director: Good morning, Council Chair and Members of the Council. Ka'āina Hull, on behalf of the Planning Department, besides me, Deputy Planning Director Jodi Higuchi Sayegusa, and Planner Shelea Koga.

Councilmember Cowden: I want to thank you. I felt like you folks made some clarification improvements on this, so I wanted to give you the opportunity to explain for some of the people who might want to testify either at the public hearing or at the Committee Meeting, that they understand what this is. I want to say that I appreciate this and it probably should have happened thirty-five (35) years ago. It is really well done and I appreciate what is in there and how it takes some of the pressure off the Public Access, Open Space, Natural Resources Preservation Fund Commission (Open Space), I think. If this had happened thirty-five (35) years ago, Open Space would have an easier job. Can I hear from you and then maybe a little bit from Open Space.

JODI A. HIGUCHI SAYEGUSA, Deputy Planning Director: Jodi Higuchi Sayegusa, Deputy Planning Director. This measure was referred to the Planning Commission and then also the Open Space Commission had an opportunity to review the bill on May 12th. The edits or amendments were all amendments suggested by the Office of the County Attorney. The amendment was to paragraph (C)(5) and then some consolidation with language and then also to the appeal section. It is really to strengthen the enforceability of the easements required as a result to the CPR process. It is adding language that allows the map designation itself serves as a conclusive presumption that dedication has been done, because sometimes there are issues between the requirement, the dedication, and the recording. There were language suggested by the Office of the County Attorney to strengthen that to just underscore the creation and the requirement of creating this easement by way of the CPR becomes enforceable by designating on the map. The other key amendment was to Section (h), the appeal language clarifies that appeals can be lodged and heard by the Planning Commission, and I think there was a little confusion that it would be an appeal to the Planning Department. It is just an amendment to clarify that point.

Mr. Hull: Taking a step back. The language is very similar in nature to what is already in existence for the subdivision ordinance and the extraction of public access in subdivisions. The bill as introduced and worked on and proposed by Councilmember Holland, those are the specific measures to make sure that we are not just capturing that during subdivision applications, but the condominium property.

(Olivia from Hoike: "I think you turned your microphone off.")

Mr. Hull: Sorry. While subdivision applications abutting public thoroughfares or public areas are fairly rare now, they still happen

and we are making sure we are trying to catch them when it happens, but it is fairly rare. We looked at when the last one was and it has been several years since the last one because you do not have many coastal subdivisions happening anymore and you do not have any abutting *mauka* lands that are State lands occurring, but you certainly is having CPR proposals that happen near these lands. Being able to now use that process to leverage public access is certainly one that has been beneficial overall to the County of Kaua'i. The interface with Open Space and that open space program needs to purchase accesses…candidly Jodi and Shelea have been going back through certain subdivisions to see, "Oh, there were accesses required, but they were never finalized through the subdivision process." Going back and essentially issuing notices of violations and getting into where somewhat adversarial engagements with landowners that have somewhat failed to perform on their public access requirements, they are going through that process and (inaudible) to them, but what the bill draws attention to is that we can better set up the process in which they are exacted and do so in a matter that hopefully we will not end up in these adversarial situations.

Councilmember Cowden: For clarification, it is not retroactive. Living in Kīlauea, which is where the CPRs started, so many beach accesses and mountain accesses were stopped because of CPR use. This is not going to make a difference for that. Would that be correct? There is no retroactive…

Ms. Higuchi Sayegusa: This is going to be prospectively applied. The new creations of CPRs, going forward.

Councilmember Cowden: So, we are fixing a problem…that is why I said if this had happened thirty-five (35) years ago, we would probably have a much happier community, but better late than never.

Ms. Higuchi Sayegusa: Correct. The CPR law under HRS 514b requires compliance with County laws including zoning laws, so this would be the law that now is also required to be complied with.

Councilmember Cowden: We could presume that it will either up the cost or lower the interest in purchasing CPRs, because I had four (4) CPRs and so when we have gotten involved in this, because it is cheaper to do it, right? You have a CPR, you cannot buy a subdivided piece of property, you cannot afford it, you do a CPR, so you can afford it. This is forming a little bit more fairness to what would have…they would have normally had to do some type of subdivision, this kind of bring it closer to that requirement.

Ms. Higuchi Sayegusa: The creation of the CPR is really just organizing ownership, primarily, right.

Council Chair Rapozo: The real reason is to avoid the conditions that they would be subject to if they are going through a subdivision.

Ms. Higuchi Sayegusa: Yes, it is an organizing of the ownership interest…

Council Chair Rapozo: Correct.

Ms. Higuchi Sayegusa: ...and responsibility in a civil manner within the co-owners of...but as far as minimum infrastructure requirements, it is not the same process as a subdivision and the same requirements. The subdivision minimum requirements are not necessarily applied to the CPR unit.

Council Chair Rapozo: Would you not agree that the reason why we do not have as many subdivision applications is because they have the CPR process, which pretty much they can get through a CPR through basically a civil legal document that determines ownership and not be subject to the public access, roads, or whatever subdivision process would have required them to do, right? That is why I think you are seeing more CPRs than subdivisions.

Mr. Hull: Yes, I agree with that assumption. The nuance is that the CPRs do not increase density and subdivisions can in some situations.

Council Chair Rapozo: But I think the overall benefit would be to CPR.

Mr. Hull: Correct.

Council Chair Rapozo: Is it possible to get a list of all of those conditions that we may have made that you folks are working on that we are going back and checking that maybe never did comply with the conditions? Can we get a list?

Mr. Hull: We can get one over.

Council Chair Rapozo: A confidential list. Stamp it "confidential" and I will not share it, I promise.

Mr. Hull: Yes.

Councilmember Cowden: Yes, I want to see it too.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: I know this is just about the access, but fireflow protection is such a big deal, a different bill, but when we are working on (inaudible) urban interface, fireflow protection, those are big elements that are missing. When I look at the CPR properties in my area, so many of them, there are so much development with two (2) little, tiny standpipes on the highway. This is a step towards creating more compliance with what would be appropriate for subdivision.

Council Chair Rapozo: That would be for another time.

Mr. Hull: Yes.

Councilmember Cowden: That is another conversation, okay.

Council Chair Rapozo: But I agree. Are there any further questions for the Planning Department? If not, thank you very much. Is there anyone in the audience wishing to testify?

Ms. Okhman: Yelena Okhman here. I am pro-access. I am expressing gratitude for providing the access and working towards the public access. Is there any size for the large parcel of the CPR? Is there any recognition of how big CPR should be, size-wise, because I did not see it and also it just says involving large parcels. Would it be like five (5) acres, seven (7) acres, any definitions of that? I got the answer on proactive but not going backwards, but the size and my question about the objective criteria will define public interest, so people who end up buying or starting the project, what would be the public interest be applicable in this case? Thank you.

Council Chair Rapozo: Thank you. Is there anyone else wishing to testify? I will answer that question. This would apply to any property that are adjacent to public areas, so as far as shoreline, if you are adjacent to the shoreline or State property *mauka* that would typically allow people to hunt or hike, that is what the impacted properties are. Is there any discussion? Councilmember Cowden.

There being no further public testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Cowden: On page 2, Section "(3) 'Standard' public accessways shall be designated at intervals of not less than three hundred (300) feet and not greater than one thousand five hundred (1,500) feet." So if something was on a shoreline or in there, that...so, it is clear in here what it is, so I do not need to read it. I am looking at the Planning Department hoping that in asking, in the Committee Meeting if we can have a little bit of a presentation if our system allows us to do that, like, right now, it does not. I think it is good for the public to know because it is actually a really significant change and having been part of four (4) different CPRs, some done with attorneys, some done by ourselves, I learned a lot in that process and any time that we have bought into any of these things, the reason that those properties have been bought into is absolutely cost. We would not be able to buy it if it was already sort of a developed piece of property. I think it is important for people to realize where the changes are and most of the people who I know that have CPRs, almost all of them, have all types of problems by circumventing the County process. When I was younger and got those CPRs, I was not aware of really what it was, it was just, "Okay, this is a way to do something,"—we moved into it blind. We were the third CPR on the island. I think having some type of presentation of what this means so people can watch it and see where it is. I think that would be good for people to be clear. I am clear that even had owned CPRs, how important this is and it really should have happened a long time ago. I am glad that it is being added. Thank you, Councilmember Holland for pulling this forward.

Council Chair Rapozo: Is there any further discussion? Roll call.

The motion for passage of Proposed Draft Bill (No. 3004) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for October 28, 2026, and that it thereafter be referred to the Planning Committee was then put, and carried by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualiʻi, Rapozo	TOTAL – 7,
AGAINST PASSAGE:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Council Chair Rapozo: Motion carries. Next item, please.

BILLS FOR SECOND READING:

Bill No. 3000 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 15 BETWEEN JULY 1, 2025 AND JUNE 30, 2029

Councilmember Kualiʻi moved to approve Bill No. 3000 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to approve Bill No. 3000 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualiʻi, Rapozo	TOTAL – 7,
AGAINST APPROVAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Council Chair Rapozo: Motion carries. Next item, please.

Bill No. 3001 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2026-917 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 *(Temporary Voter Service Center Workers – $50,000.00)*

Councilmember Kualiʻi moved to approve Bill No. 3001 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to approve Bill No. 3001 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualiʻi, Rapozo	TOTAL – 7,
AGAINST APPROVAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Council Chair Rapozo: Motion carries. Next item, please.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 10:25 a.m.

Respectfully submitted,

JADE K. FOUNTAIN-TANIGAWA
County Clerk

:dmc

(September 23, 2026)
FLOOR AMENDMENT
Resolution No. 2026-26 – RESOLUTION APPROVING A STATE BILL RELATING TO EMERGENCY MANAGEMENT FOR INCLUSION IN THE 2027 COUNTY OF KAUA'I LEGISLATIVE PACKAGE

Introduced by: FELICIA COWDEN, Councilmember

1. Amend the title of Resolution No. 2026-26, as follows:

"RESOLUTION APPROVING A STATE BILL RELATING TO EMERGENCY MANAGEMENT FOR INCLUSION IN THE 2027 HAWAI'I STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE"

2. Amend Resolution No. 2026-26 in pertinent part as follows:

"BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, that it hereby approves the following:

- [That the proposed State bill Relating to Emergency Powers, which is attached hereto as "Exhibit A," be included in the 2027 County of Kaua'i Legislative Package.]

- <u>That the proposed State bill Relating to Emergency Powers, which is attached hereto as "Exhibit A," be transmitted to the Hawai'i State Association of Counties.</u>

(Material to be deleted is bracketed, new material to be added is underscored and highlighted.)
https://kauaicounty.sharepoint.com/sites/Tasksеffective9152026Temporary/Shared Documents/General/FLOOR AMENDMENTS/Floor Amendment Resolution 2026-26 RM_dmc.docx