

NOTICE OF PUBLICATION AND NOTICE OF PUBLIC HEARING

Notice is hereby given that the Kaua'i County Council will hold a public hearing on Wednesday, May 14, 2025, at 8:30 a.m., or soon thereafter, at the Council Chambers, 4396 Rice Street, Room 201, Historic County Building, Līhu'e, on the following:

Bill No. 2952

A BILL FOR AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 10, AND CHAPTER 17, ARTICLE 2, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO USE OF PUBLIC ELECTRIC VEHICLE CHARGERS

This Bill proposes to implement user fees, timing restrictions, and other parameters for public use of electric vehicle charging stations operated by the County of Kaua'i, to ensure adequate investment in the County electric vehicle charging network by authorizing the County to recover the costs of operating and maintaining its charging stations and equipment.

Bill No. 2953

A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2024-896, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*SHOPO Temporary Hazard Pay*)

This Bill proposes to amend Ordinance No. B-2024-896, as amended, relating to the Operating Budget of the County of Kaua'i, State of Hawai'i, for the fiscal year July 1, 2024 through June 30, 2025, by revising the amounts estimated in the General Fund. The purpose of this Bill is to fund the Settlement Agreement with the State of Hawai'i Organization of Police Officers (SHOPO), Bargaining Unit (BU) 12, for Temporary Hazard Pay (THP) for exposure to the Coronavirus Disease 2019 (COVID-19) for those BU members employed during the period of March 4, 2020 to March 25, 2022, including portions thereof, and to resolve the THP class grievance submitted by SHOPO.

Any person may testify at the public hearing, and at any Council and Committee Meeting (at which time any Bill may be amended). Meeting notices and full-text Bills are available at least six (6) days in advance at the Office of the County Clerk, Council Services Division and kauai.gov/webcast meetings. Written testimony may be submitted via counciltestimony@kauai.gov, mail, or fax. For further information, please call (808) 241-4188.

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that the Kaua'i County Council passed on first reading and ordered to print Bill No. 2952 and Bill No. 2953 during the April 9, 2025 Council Meeting, by the following vote:

AYES:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualii, Rapozo	TOTAL – 7,
NOES:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Lihu'e, Hawai'i
April 9, 2025

/s/ Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

NOTE: IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF THE COUNTY CLERK, COUNCIL SERVICES DIVISION AT (808) 241-4188 OR COKCOUNCIL@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST.

UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

(One publication – The Garden Island – April 15, 2025)

**A BILL FOR AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 10, AND
CHAPTER 17, ARTICLE 2, KAUAI COUNTY CODE 1987, AS AMENDED,
RELATING TO USE OF PUBLIC ELECTRIC VEHICLE CHARGERS**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. Purpose. The purpose of this Ordinance is to implement user fees, timing restrictions, and other parameters for public use of electric vehicle charging stations operated by the County of Kaua'i, to ensure adequate investment in the County electric vehicle charging network by authorizing the County to recover the costs of operating and maintaining its charging stations and equipment.

SECTION 2. Chapter 16 (Traffic Code), Article 10 (Stopping, Standing or Parking Prohibited in Specific Places), Section 6 (County Building and Civic Center Off-Street Parking and Enforcement), Subsection (c), Kaua'i County Code 1987, as amended, is amended to read as follows:

“(c) Members of the Police Department and other persons authorized by the Chief of Police are authorized to remove or cause to be removed any vehicle parked within the areas described in Subsection (d) of this Section when:

(1) [Such] The vehicle does not display the required decal evidencing the issuance of a parking permit by the County Engineer or authorized representative; and

(2) [Such] The vehicle is not parked wholly within a designated stall and straddles an adjoining [stall;] stall.

[(3) Such vehicle is parked at an electric vehicle charging station but is not an electric vehicle;

(4) Such vehicle is an electric vehicle parked at an electric vehicle charging station, but is not actively charging; and

(5) Such vehicle is an electric vehicle parked at an electric vehicle charging station longer than four (4) hours.]”

SECTION 3. Chapter 16 (Traffic Code), Article 10 (Stopping, Standing or Parking Prohibited in Specific Places), Kaua'i County Code 1987, as amended, is amended to add a new section, Section 7, and read as follows:

“Sec. 16-10.7 Use of County-Owned Public Electric Vehicle Chargers.

(a) The Director of Finance may designate County-owned electric vehicle charging stations as available for public use. Members of the public may use designated charging stations for electric vehicle use only in accordance

with conditions for User Fees as set forth in Section 17-2, Kaua'i County Code 1987, as amended.

(b) As used in this Article, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

"Actively Charging" means a vehicle that is plugged into an electric vehicle charging station and drawing power.

"Director" means the Director of Finance or the Director's designee.

"Electric vehicle" means the same as defined in Section 8-31.1, Kaua'i County Code 1987, as amended.

"Electric vehicle charging station" or "electric vehicle chargers" means the same as "electric vehicle charging system" as defined in Section 8-31.1, Kaua'i County Code 1987, as amended.

"Public vehicle" means any vehicle that is not in the County's vehicle fleet.

(c) The Director may adopt any rules pursuant to HRS Chapter 91 that are consistent with the provisions of this Article.

(d) The following shall apply to all County-owned property:

(1) No person may park a non-electric vehicle in a parking space designed and marked as reserved for electric vehicles, unless otherwise directed on official County signage.

(2) No person may park any public vehicle in a parking space equipped with an electric vehicle charging system while not actively charging, unless otherwise directed on official County signage.

(e) Any person convicted of violating this Section shall be guilty of a violation in accordance with Hawai'i Revised Statutes Section 701-107. Any person convicted after citation shall be fined \$50 for the first violation and \$100 for each subsequent violation. After the initial citation for a first violation, each additional day of violation shall constitute a separate offense."

SECTION 4. Chapter 17, Article 2 (Use of Public Electric Vehicle Chargers), Kaua'i County Code 1987, as amended, is amended in its entirety to read as follows:

"Article 2. [Use of] Fees for County-Owned Public Electric Vehicle Chargers

[Sec. 17-2.1 Public Electric Vehicle Chargers.

The Director of the Office of Economic Development or the County Engineer Finance may designate electric vehicle charging stations as available for public use. Members of the public may use designated charging stations for electric vehicle use only. Members of the public shall follow the directions as posted or as provided by the Director of the Office of Economic Development, the County Engineer, or designee. When used in this Article, the word “electric vehicle” means a vehicle that is powered entirely or partially by electricity, and the words “electric vehicle charging stations” or “electric vehicle chargers” mean designated areas containing external chargers for electric vehicles. The charging stations shall be available on a first come, first serve basis.]

[Sec. 17-2.2] Sec. 17-2.1 [User Fees.] Definitions.

[(a) There shall be no user fee for the use of public electric vehicle charging stations.] As used in this Article, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

“Director” means the Director of Finance or the Director’s designee.

“Electric vehicle” means the same as defined in Section 8-31.1, Kaua’i County Code 1987, as amended.

“Electric vehicle charging station” or “electric vehicle chargers” means the same as “electric vehicle charging system” as defined in Section 8-31.1, Kaua’i County Code 1987, as amended.

“Rate” means the monetary unit either per hour or kilowatt hour (kWh) that a customer is required to pay as a user fee at County of Kaua’i Electric Vehicle Charging Stations.

[Sec. 17-2.3] Sec. 17-2.2 [Collection of User Fees.] User Fees.

[All funds collected shall be deposited in the General Fund of the County of Kaua’i.]

(a) The Director shall establish rates for user fees at County of Kaua’i electric vehicle charging stations.

(b) The Director shall determine rates by assessing and quantifying the County’s costs to power, operate, administer, and maintain charging stations, including any administrative fees assessed to County by its vendor for processing credit and debit card user fee payments.

(c) Rate design methodology shall be made available upon request to the Department of Finance.

(d) The Director may assess an overstay surcharge for vehicles that remain in a designated stall after the vehicle battery is fully charged.

(e) Rates may be calculated on a quarterly basis or as often as the Director deems necessary to maintain efficient operations and cost control.

(f) The Director shall post on the County website all rates and payment directions, charging session time limitations, and daily charging hours for use of County electric vehicle charging stations.

(g) At applicable locations, County charger user fee rates will be due in addition to standard parking rates.

[Sec. 17-2.4] Sec. 17-2.3 [Rules.] Collection of User Fees.

[The Director of Economic Development or the County Engineer may promulgate such rules and regulations deemed proper to effectuate the purposes of this Article.] All user fees collected from County electric vehicle charging stations shall be deposited into the General Fund of the County of Kaua'i and applied to the costs associated with powering, operating, administering, and maintaining the stations."

SECTION 5. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

SECTION 6. Ordinance material to be repealed is bracketed. New Ordinance material is underscored. When revising, compiling, or printing this Ordinance for inclusion in the Kaua'i County Code 1987, as amended, the brackets, bracketed material, and underscoring shall not be included.

SECTION 7. This Ordinance shall take effect upon its approval.

Introduced by:


ARRYL KANESHIRO
(By Request)

DATE OF INTRODUCTION:

April 9, 2025

Lihu'e, Kaua'i, Hawai'i

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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2952, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on April 9, 2025, by the following vote:

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

Līhu'e, Hawai'i
April 9, 2025


Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i

ORDINANCE NO. _____

BILL NO. 2953

**A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2024-896,
AS AMENDED, RELATING TO THE OPERATING BUDGET OF
THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR
JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS
ESTIMATED IN THE GENERAL FUND**

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. That pursuant to Sec. 19.07B and 19.10A of the Charter of the County of Kauai, as amended, Ordinance No. B-2024-896, as amended, relating to the Operating Budget of the County of Kauai, State of Hawaii, for the fiscal year July 1, 2024 through June 30, 2025, be hereby amended as follows:

- A. The sum of \$4,400,000.00 by revising the amounts estimated in the General Fund:

Equity / Fund Balance / Unassigned	[\$4,400,000]
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- B. Be and is hereby appropriated for the following purpose:

Police / Chief's Office / Premium Pay	\$3,160,000
Police / Chief's Office / Social Security Contribution	\$40,000
Police / Chief's Office / Retirement Contribution	\$1,200,000

SECTION 2. This Ordinance shall take effect upon its approval.

Introduced by:



ARRYL KANESHIRO
(By Request)

DATE OF INTRODUCTION:

April 9, 2025

Lihu'e, Kauai, Hawaii

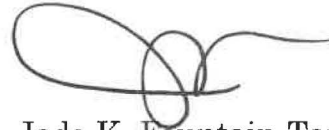
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CERTIFICATE OF THE COUNTY CLERK

I hereby certify that heretofore attached is a true and correct copy of Bill No. 2953, which was passed on first reading and ordered to print by the Council of the County of Kaua'i at its meeting held on April 9, 2025, by the following vote:

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

Līhu'e, Hawai'i
April 9, 2025



Jade K. Fountain-Tanigawa
County Clerk, County of Kaua'i