

**KAUA'I COUNTY COUNCIL  
MEETING NOTICE AND AGENDA  
WEDNESDAY, JUNE 28, 2023  
8:30 A.M. OR SOON THEREAFTER  
COUNCIL CHAMBERS, HISTORIC COUNTY BUILDING  
4396 RICE STREET, SUITE 201, LIHU'E, KAUA'I, HAWAII 96766**

MEETING INFORMATION:

- **Oral Testimony:** Accepted in-person at the Council Chambers.
- **Written Testimony:** May be submitted before any meeting via: email to [counciltestimony@kauai.gov](mailto:counciltestimony@kauai.gov); fax to (808) 241-6349; mail to the Office of the County Clerk, Council Services Division at 4396 Rice Street, Suite 209, Līhu'e, Hawai'i, 96766; or hand-delivery at Suite 209 during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, excluding holidays).
- **Courtesy Livestream, Video, and Minutes:** Meeting livestream (recorded video to follow) is available at [www.kauai.gov/Government/Council/Webcast-Meetings](http://www.kauai.gov/Government/Council/Webcast-Meetings). If the courtesy livestream is unavailable for any reason, the meeting will proceed. Meeting minutes will be completed pursuant to Hawai'i Revised Statutes (HRS) Chapter 92 and electronically posted at [www.kauai.gov/Government/Council](http://www.kauai.gov/Government/Council) following Council approval.
- **For Further Assistance:** If you need an auxiliary aid/service, other accommodation due to a disability, or an interpreter for non-English speaking persons, please contact the Office of the County Clerk, Council Services Division at (808) 241-4188 or [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov) as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Upon request, this notice is available in alternate formats such as large print, braille, or electronic copy.

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. MINUTES of the following meetings of the Council:

1. May 10, 2023 Council Meeting
2. June 14, 2023 Council Meeting

E. INTERVIEWS:

1. KAUA'I HISTORIC PRESERVATION REVIEW COMMISSION:

- [Kathleen Kikuchi-Samonte](#) – Term ending 12/31/2024

## 2. FIRE COMMISSION:

- [Gary Pacheco](#) – Term ending 12/31/2025

## 3. COST CONTROL COMMISSION:

- [Stacy M.K. Waikoloa](#) – Term ending 12/31/2025

F. CONSENT CALENDAR:

1. [C 2023-148](#) Communication (05/18/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Howard Leslie to the Police Commission – Term ending 12/31/2025. (*See Resolution No. 2023-47*)
2. [C 2023-149](#) Communication (05/18/2023) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Graham Odenheimer to the Board of Review – Term ending 12/31/2025. (*See Resolution No. 2023-48*)
3. [C 2023-150](#) Communication (06/05/2023) from the Director of Finance, transmitting for Council information, the following reports:
  - a. County of Kaua'i Bond Summary of General Long-Term Debt: Rollforward for Fiscal Year 2023;
  - b. County of Kaua'i Bond Supplemental Summary of General Long-Term Debt Amount Outstanding as of June 30, 2023; and
  - c. Excluded County of Kaua'i Bond Supplemental Summary of Long-Term Debt Amount Outstanding as of June 30, 2023: CFD No. 2008-1 (Kukui'ula Development Project) Special Tax Bonds, Series 2019, and Series 2022.
4. [C 2023-151](#) Communication (06/09/2023) from Councilmember Bulosan, transmitting for Council consideration, a Resolution Recognizing August 8, 2023 As Kaua'i Honeycreepers Celebration Day (*See Resolution No. 2023-49*)

G. COMMUNICATIONS:

1. [C 2023-152](#) Communication (05/15/2023) from Councilmember Cowden, requesting the presence of the Director of Finance, to provide a briefing on the County's Geographic Information System (GIS), Land Information Management Systems (LIMS), and Really Cool Maps System.

2. [C 2023-153](#) Communication (06/06/2023) from the Chief of Police, requesting Council approval of the indemnification provision included in the continued lease agreement for Kīpū-Maluhia Firing Range, for continued training of members of the Kaua'i Police Department.
3. [C 2023-154](#) Communication (06/08/2023) from the Deputy Director of Planning, requesting Council approval to receive and expend Federal/State funds for the Hawai'i Coastal Zone Management (CZM) Program in an amount up to \$373,942.00, and to indemnify the State of Hawai'i in accordance with the State of Hawai'i General Conditions (AG-008 103D) for administering the program. This reoccurring pass-through grant will be utilized to continue the implementation of the CZM Program on Kaua'i commencing July 1, 2023 to June 30, 2024 and will be expended on salaries/wages, travel, equipment, and supplies for the CZM Program, specifically for the 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.
4. [C 2023-155](#) Communication (06/16/2023) from Elliott K. Ke, Assistant Chief of Police, Patrol Services Bureau, requesting Council approval to receive and expend funding from the Enhanced 911 (E-911) Board, in the amount of \$1,192,689.00, for annual recurring and non-recurring expenditures to operate 911 services as part of the Kaua'i Police Department's Public Safety Answering Point (PSAP) and the Alternate Dispatch Center (ADC), and for travel expenses for designees to attend Board meetings on O'ahu as well as Board-approved trainings available out-of-state.
5. [C 2023-156](#) Communication (06/16/2023) from the Deputy Director of Planning, requesting Council approval to accept a donation from Ulupono Initiative in the amount of \$25,000.00, to be used to support the local match for the Safe Streets and Roads for All (SS4A) Planning Grant Program for the development of a Safety Action Plan.
6. [C 2023-157](#) Communication (06/16/2023) from the Deputy Director of Planning, requesting Council approval to apply for, receive, and expend United States Department of Transportation (USDOT) Safe Streets and Roads for All (SS4A) Program funds in the amount of \$250,000.00, to be used for the development of a Safety Action Plan.

H. LEGAL DOCUMENT:

1. [C 2023-158](#) Communication (06/14/2023) from the Chief of Police, requesting Council approval of a Right-of-Entry Agreement for inspecting, surveying, and overall determining the feasibility of a future police substation, by and between the County of Kaua'i and Hawai'i Health Systems Corporation, situated at Tax Map Key (TMK) No. (4) 6-0-141:130, Samuel Mahelona Memorial Hospital, 4800 Kawaihau Road, Kapa'a.

- Right-of-Entry Agreement

I. CLAIM:

1. [C 2023-159](#) Communication (06/14/2023) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Charter Spectrum, for property damage, pursuant to Section 23.06, Charter of the County of Kaua'i.

J. COMMITTEE REPORTS:1. HOUSING & INTERGOVERNMENTAL RELATIONS COMMITTEE:

- a. **CR-HIR 2023-01:** on HIR 2023-01 Communication (06/05/2023) from Council Chair Rapozo, requesting the presence of the Housing Director, to provide an update on the status of the Residential Cesspool Conversion Program. **[Receive for the Record.]**

2. COMMITTEE OF THE WHOLE:

- a. **CR-COW 2023-08:** on COW 2023-03 Communication (05/09/2023) from Committee Vice Chair Kualii, requesting agenda time to permit a water briefing from government entities including the Department of Land and Natural Resources Commission on Water Resource Management (CWRM), Department of Hawaiian Home Lands (DHHL), Kaua'i Department of Water, and Kaua'i Board of Water Supply. **[Receive for the Record.]**

K. RESOLUTIONS:

1. [Resolution No. 2023-47](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE POLICE COMMISSION (*Howard Leslie*)
2. [Resolution No. 2023-48](#) – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF REVIEW (*Graham Odenheimer*)
3. [Resolution No. 2023-49](#) – RESOLUTION RECOGNIZING AUGUST 8, 2023 AS KAUA'I HONEYCREEPERS CELEBRATION DAY

L. EXECUTIVE SESSION: Pursuant to Hawai'i Revised Statutes (HRS) §92-7(a), the Council may, when deemed necessary, hold an Executive Session on any agenda item without written public notice if the Executive Session was not anticipated in advance. Any such Executive Session shall be held pursuant to HRS §92-4 and shall be limited to those items described in HRS §92-5(a). (Confidential reports on file at the Office of the County Attorney and/or the Office of the County Clerk. Discussions held in Executive Session are closed to the public.)

1. ES-1098 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session to provide the Council with a briefing and request for settlement authority regarding Charlene Seager's real property tax claim and related matters. This briefing and consultation involves the consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

M. ADJOURNMENT.

N. PUBLIC HEARING: The Council will convene a public hearing on the following item(s) on this meeting date at approximately 8:30 a.m., or soon thereafter, and will convene or reconvene the Council Meeting thereafter. For complete information, including a summary of the item(s), please refer to the official Notice of Public Hearing, which has been published, posted on the bulletin board, filed in the Office of the County Clerk, and is available at [www.kauai.gov/government/council/public-hearing-notices-minutes](http://www.kauai.gov/government/council/public-hearing-notices-minutes).

1. [Bill No. 2899](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING DESIGNATION IN PUHI, KAUA'I (*University of Hawai'i Community Colleges, Kaua'i Community College, Applicant*) (ZA-2023-3)