

**KAUA'I COUNTY COUNCIL
MEETING NOTICE AND AGENDA
WEDNESDAY, APRIL 22, 2026**

8:30 A.M. OR SOON THEREAFTER

COUNCIL CHAMBERS, HISTORIC COUNTY BUILDING
4396 RICE STREET, SUITE 201, LĪHU'Ē, KAUA'I, HAWAII 96766

AND

MEETING ROOM 106, HISTORIC COUNTY BUILDING
4396 RICE STREET, FIRST FLOOR, LĪHU'Ē, KAUA'I, HAWAII 96766

MEETING INFORMATION:

- This is an in-person meeting at multiple meeting sites connected by interactive conference technology pursuant to Hawai'i Revised Statutes (HRS) Section 92-3.5. Councilmembers will attend the meeting at the Council Chambers location only. Members of the public may attend the meeting at either location.
- **Oral Testimony:** Accepted in-person at the Council Chambers and Meeting Room 106.
- **Written Testimony:** May be submitted for any meeting via: email to counciltestimony@kauai.gov; fax to (808) 241-6349; mail to the Office of the County Clerk, Council Services Division at 4396 Rice Street, Suite 209, Līhu'ē, Hawai'i, 96766; or hand-delivery at Suite 209 and Meeting Room 106 during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, excluding holidays).
- **Courtesy Livestream, Video, and Minutes:** Meeting livestream (recorded video to follow) is available at www.kauai.gov/Government/Council/Webcast-Meetings. If the courtesy livestream is unavailable for any reason, the meeting will proceed. Meeting minutes will be completed pursuant to HRS Chapter 92 and electronically posted at www.kauai.gov/Government/Council following Council approval.
- **Courtesy Remote Oral Testimony:** This is not a remote meeting pursuant to HRS Section 92-3.7. The option of remote oral testimony is offered as a courtesy only. To register, testifiers shall sign up via emailing remote.signup@kauai.gov, indicating the agenda item(s) they would like to provide testimony on. Emails are due no later than 12:00 Noon the business day prior to the meeting. Those who timely register will receive remote testimony access and instructions via reply email. Those wishing to view the meeting but not provide testimony will be directed to the courtesy livestream (via the website link above). If the courtesy remote testimony access is unavailable for any reason, the meeting will proceed.
- **Additional Note for Both Methods of Oral Testimony:** Generally, each agenda item is addressed (and oral testimony received) in the order listed in the agenda; however, agenda items may occur out of order without notice and oral testimony is not accepted for completed agenda items. Those seeking the guaranteed ability to testify should report: (1) in-person, and (2) by the meeting start time.
- **For Further Assistance:** If you need an auxiliary aid/service, other accommodation due to a disability, or an interpreter for non-English speaking persons, please contact the Office of the County Clerk, Council Services Division at (808) 241-4188 or cokcouncil@kauai.gov as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Upon request, this notice is available in alternate formats such as large print, braille, or electronic copy.

ADDITIONAL NOTIFICATION – NO ELEVATOR ACCESS TO SECOND FLOOR:

At the time of this meeting notice and agenda posting, the Historic County Building elevator is temporarily inoperable. Because the Council Chambers is on the second floor of the building, an in-person meeting site at Meeting Room 106 will be connected to the in-person meeting site at the Council Chambers by interactive conference technology. If audio communication to the meeting cannot be maintained between the locations, the meeting shall be automatically recessed to restore communication. If the audio communication cannot be restored within thirty (30) minutes, the meeting will be terminated. If the audiovisual communication can be restored, the meeting may reconvene. If the audio communication can be restored, the meeting may reconvene with audio-only communication, with hardcopies of visual aids made available to all meeting participants pursuant to HRS Section 92-3.5(c).

A. MEETING CALLED TO ORDER.B. ROLL CALL.C. APPROVAL OF AGENDA.D. Minutes of the following meeting of the Council:

1. March 25, 2026 Public Hearing re: Bill No. 2985

E. INTERVIEW:

1. BOARD OF REVIEW:

- [Leah L. Ragsac](#) – Partial term ending 12/31/2026

F. CONSENT CALENDAR:

1. [C 2026-86](#) Communication (04/09/2026) from Council Chair Rapozo, transmitting for Council consideration, a Resolution Recognizing Open Water Lifeguards As First Responders In Acknowledgement Of Their Essential Role In Emergency Response, Public Safety, And Community Well-Being Throughout The State Of Hawai'i. (**See Resolution No. 2026-13**)
2. [C 2026-87](#) Communication (04/09/2026) from Kimberly Torigoe, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims filed against the County of Kaua'i from January 1, 2026 through March 31, 2026.

3. [C 2026-88](#) Communication (04/10/2026) from the County Engineer, transmitting for Council consideration, a Resolution Authorizing The Mayor Or The Director Of Finance Of The County Of Kaua'i To Enter Into An Intergovernmental Agreement With The State Of Hawai'i, Department Of Health For A Loan From The State Water Pollution Control Revolving Fund For The Līhu'e WWTP Rehabilitation, Project No. C150059-29. (**See Resolution No. 2026-14**)

G. COMMUNICATIONS:

1. [C 2026-89](#) Communication (03/20/2026) from the Executive on Aging, requesting Council approval to receive and expend donations from eight (8) various sources, in the amount of \$868.00, to help offset the costs of the meals served from the Home-Delivered Meals Program. The purpose of the nutrition program is to reduce hunger and food insecurity, and provide meals to the participants.
2. [C 2026-90](#) Communication (03/24/2026) from the Executive on Aging, requesting Council approval to receive and expend Federal funds, in the amount of \$310,941.00, and to indemnify the State Executive Office on Aging, for the provision of Title III services of the Older Americans Act (OAA), which includes supportive services, congregate meals, home-delivered meals, preventive health programs, and the National Family Caregiver Support Program, for the Federal Fiscal Year 2026.
3. [C 2026-91](#) Communication (03/31/2026) from the Fire Chief, requesting Council approval to establish Temporary As Needed (TAN) operator positions and Ocean Safety supervisory positions to accommodate emergency staffing needs, pursuant to the Hawai'i Fire Fighters Association Contract Agreement as outlined in Section 27, for the following:
- One (1) newly acquired Quick Response Vehicle at Waimea Fire Station;
 - One (1) Water Tanker received from the Department of Public Works;
 - Three (3) Spare Trucks;
 - Two (2) new Water Tankers for Kalāheo Fire Station and Waimea Fire Station;
 - One (1) Command Vehicle received from the Kaua'i Police Department;
 - One (1) newly acquired High Water Rescue Vehicle at Hanalei Fire Station;
 - Three (3) Ocean Safety Officer III positions for temporary assignment purposes; and
 - Three (3) Ocean Safety Officer IV positions for temporary assignment purposes.

4. [C 2026-92](#) Communication (04/01/2026) from the Housing Director, requesting Council approval to receive and expend 2026 Housing and Urban Development Family Self-Sufficiency Grant funds in the amount of \$250,616.00. This recurring grant funds the Family Self-Sufficiency Program that helps families in the Housing Choice Voucher rental assistance program achieve economic independence.
5. [C 2026-93](#) Communication (04/06/2026) from the Director of Finance, requesting Council approval to accept terms, including indemnification, contained in the Rocket Software End User License Agreement (EULA), which provides the Attachmate Extra! X-treme software program for County users to securely connect to the State of Hawai'i's Motor Vehicle Registration mainframe system.
6. [C 2026-94](#) Communication (04/06/2026) from the Emergency Management Administrator, requesting Council approval to receive and expend a supplement to United States Department of Homeland Security (DHS) recurring grant funds, via the State of Hawai'i Department of Defense – Hawai'i Emergency Management Agency (HI-EMA), in the amount of \$3,000.00 for the Fiscal Year 2025 Emergency Management Performance Grant, which will support emergency management programs and inter-island travel expenses for Kaua'i Emergency Management Agency (KEMA) staff and partners to attend training and exercise activities.
7. [C 2026-95](#) Communication (04/07/2026) from Makana A. Rivera, Assistant Chief of Police, requesting Council approval of the indemnification and unspecified future obligations provisions contained in Island School's Application for Use of School Buildings, Facilities, or Grounds, for the purpose of Kaua'i Police Department events, including, but not limited to promotions, Kaua'i Police Activities League (KPAL) sporting events, and other related activities during calendar years 2026 through 2030.
8. [C 2026-96](#) Communication (04/08/2026) from the Director of Finance, transmitting for Council consideration, A Bill For An Ordinance To Amend Ordinance No. B-2025-905, As Amended, Relating To The Operating Budget Of The County Of Kaua'i, State Of Hawai'i, For The Fiscal Year July 1, 2025 Through June 30, 2026, By Revising The Amounts Estimated In The General Fund, to provide funding for general liability and automobile claims resolved by the Office of the County Attorney and to provide additional funding for the Health Fund Contribution accounts of the Office of the County Attorney and the Planning Department. ***(See Proposed Draft Bill (No. 2993))***

9. [C 2026-97](#) Communication (04/08/2026) from the County Attorney on behalf of the Prosecuting Attorney, requesting Council approval to receive and expend Remnant Defendant Settlement funds, in an amount to be determined pursuant to a settlement agreement, to provide for the full continuum of care of treatment and recovery services for Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder (SUD)/Mental Health (MH) conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.

10. [C 2026-98](#) Communication (04/08/2026) from the Director of Human Resources, transmitting for Council consideration, the cost items for the Hawai'i Fire Fighters Association (HFFA) Bargaining Unit 11 for the period July 1, 2025 through June 30, 2029 based on an arbitrated award and in accordance with the procedures contained in Chapter 89, Hawai'i Revised Statutes (HRS), pursuant to HRS Section 89-11 and Kaua'i County Charter Section 19.13B. (*Arbitration Panel's Award and Decision for Bargaining Unit 11 on file in the Office of the County Clerk.*) **(See Proposed Draft Bill (No. 2994))**

11. [C 2026-99](#) Communication (04/08/2026) from the Emergency Management Administrator, requesting Council approval of the indemnification provisions contained in the State of Hawai'i Department of Hawaiian Home Lands (DHHL) License Agreement, as part of the County's 800 MHz public safety radio system repeater site lease extension.

12. [C 2026-100](#) Communication (04/09/2026) from Darren D. Rose, Assistant Chief of Police, Police Operations Bureau, requesting Council approval to receive and expend recurring State funds in the amount of \$201,306.00, which funds three (3) Emergency Services Dispatcher positions, with a total anticipated amount of \$907,583.92, for the Fiscal Year, and approval to indemnify the State of Hawai'i, Department of Health, Emergency Medical Services & Injury Prevention System Branch, for the contracted period of July 1, 2026 to June 30, 2027.

13. [C 2026-101](#) Communication (04/10/2026) from the Director of Finance, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 5A, Kaua'i County Code 1987, As Amended, Relating To Real Property Tax, to define the age of a legal tenant and that the tenant shall reside on the property as their principal residence. **(See Proposed Draft Bill (No. 2995))**

14. [C 2026-102](#) Communication (04/10/2026) from the Director of Finance, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 17, Article 1, Kaua'i County Code 1987, As Amended, Relating To The General Provisions Relating To Motor Vehicles And Traffic Regulations And Related Fees. *(See Proposed Draft Bill (No. 2996))*

H. COMMITTEE REPORT:

1. FINANCE & ECONOMIC DEVELOPMENT COMMITTEE:

- a. **CR-FED 2026-06:** on Bill No. 2987 A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX *(Agricultural Dedication)* **[Approved.]**

I. RESOLUTIONS:

1. [Resolution No. 2026-13](#) – RESOLUTION RECOGNIZING OPEN WATER LIFEGUARDS AS FIRST RESPONDERS IN ACKNOWLEDGEMENT OF THEIR ESSENTIAL ROLE IN EMERGENCY RESPONSE, PUBLIC SAFETY, AND COMMUNITY WELL-BEING THROUGHOUT THE STATE OF HAWAII

2. [Resolution No. 2026-14](#) – RESOLUTION AUTHORIZING THE MAYOR OR THE DIRECTOR OF FINANCE OF THE COUNTY OF KAUAI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR A LOAN FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND FOR THE LIHU'E WWTP REHABILITATION, PROJECT NO. C150059-29

J. BILLS FOR FIRST READING:

1. [Proposed Draft Bill \(No. 2993\)](#) – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2025-905, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2025 THROUGH JUNE 30, 2026, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(General Liability and Auto Claims, and Health Fund Contribution – \$1,445,000.00)*

2. [Proposed Draft Bill \(No. 2994\)](#) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 11 BETWEEN JULY 1, 2025 AND JUNE 30, 2029

3. [Proposed Draft Bill \(No. 2995\)](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Long-Term Affordable Rental Requirements*)

4. [Proposed Draft Bill \(No. 2996\)](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 17, ARTICLE 1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE GENERAL PROVISIONS RELATING TO MOTOR VEHICLES AND TRAFFIC REGULATIONS AND RELATED FEES

K. BILL FOR SECOND READING:

1. [Bill No. 2987](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Agricultural Dedication*) (*See also CR-FED 2026-06; the Finance & Economic Development Committee recommended approval on second and final reading.*)

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-1162 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kauai County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session with the Council, to provide the Council with a briefing and to request settlement authority in the lawsuit entitled Hannah David et al. vs. Cathy Betts, et al., Case No. 1:20-CV-00002 JMS-WRP United States District Court for the District of Hawai'i. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

2. ES-1163 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), on behalf of the Council, the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing, discussion, and consultation regarding the Quarterly Report on Pending and Denied Claims. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

3. ES-1164 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 a briefing and request authority to participate in an opioid litigation settlement ("Remnant Defendant Settlement") with Associated Pharmacies, Inc. (and American Associated Pharmacies); J M Smith Corporation; Louisiana Wholesale Drug Company, Inc.; Morris and Dickson Co.; North Carolina Mutual Wholesale Drug Company, Inc.; and United Natural Foods, Inc. (including its subsidiaries SuperValu and Advantage Logistics). This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to the Remnant Defendant Settlement.

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 <https://www.kauai.gov/Government/Council/Public-Hearing-Notices-Minutes>.
1. [Bill No. 2990](#) – A BILL FOR AN ORDINANCE TO AMEND ORDINANCE NO. B-2025-905, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2025 THROUGH JUNE 30, 2026, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Hawai'i Fire Fighters' Association, IAFF Local 1463 (HFFA), Bargaining Unit (BU) 11 Temporary Hazard Pay*)

 2. [Bill No. 2991](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 5A, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REAL PROPERTY TAX (*Tax Credit*)