

KAUA'I COUNTY COUNCIL
MEETING NOTICE AND AGENDA
WEDNESDAY, JULY 10, 2024
8:30 A.M. OR SOON THEREAFTER
COUNCIL CHAMBERS, HISTORIC COUNTY BUILDING
4396 RICE STREET, SUITE 201, LIHU'E, KAUA'I, HAWAI'I 96766

MEETING INFORMATION:

- **Oral Testimony:** Accepted in-person at the Council Chambers.
- **Written Testimony:** May be submitted for any meeting via: email to counciltestimony@kauai.gov; fax to (808)241-6349; mail to the Office of the County Clerk, Council Services Division at 4396 Rice Street, Suite 209, Lihue, Hawaii, 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. If the courtesy livestream is unavailable for any reason, the meeting will proceed. Meeting minutes will be completed pursuant to Hawai'i Revised Statutes (HRS) Chapter 92 and electronically posted at www.kauai.gov/Government/Council following Council approval.
- **Courtesy Remote Oral Testimony:** This is not a remote meeting pursuant to HRS Section 92-3.7. The option of remote oral testimony is offered as a courtesy only. To register, testifiers shall sign up via emailing remote.signup@kauai.gov, indicating the agenda item(s) they would like to provide testimony on. Emails are due no later than 12:00 Noon the business day prior to the meeting. Those who timely register will receive remote testimony access and instructions via reply email. Those wishing to view the meeting but not provide testimony will be directed to the courtesy livestream (via the website link above). If the courtesy remote testimony access is unavailable for any reason, the meeting will proceed.
- **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.

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. MINUTES of the following meeting of the Council:

1. June 26, 2024 Council Meeting

E. SPECIAL ORDER OF THE DAY:

1. [Bill No. 2914, Draft 3](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 7A, ARTICLE 9, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO GOVERNMENT ASSISTANCE FOR WORKFORCE HOUSING (*Pursuant to Council Rule No. 5(e); Council Absence, Tie Vote (Council Absence or Recusal).*)

F. COMMUNICATIONS:

1. [C 2024-136](#) Communication (06/19/2024) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal funds in the amount of \$550,000.00, for three (3) years, from the Bureau of Justice Assistance (BJA) Fiscal Year (FY) 2024 Justice and Mental Health Collaboration Program. These funds will be awarded to start a mental health diversion program with Ho'ōla Lāhui Hawai'i and will fund a 0.50 Full-Time Employee (FTE) Deputy Prosecuting Attorney position, a 0.50 FTE Program Coordinator position, fringe benefits, travel costs for training, equipment, supplies, and subcontracting to a non-profit agency. The anticipated project start date is October 1, 2024.
2. [C 2024-137](#) Communication (06/19/2024) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal FY 2025 funds, in the amount of \$126,812.22, from the Impaired Driving Grant, to reimburse up to 1,040 hours of the Traffic Safety Prosecutor's position as well as travel costs for training and meetings. The grant will cover expenses for the time period of October 1, 2024 through September 30, 2025.
3. [C 2024-138](#) Communication (06/21/2024) from the Prosecuting Attorney, requesting Council approval to receive and expend Opioid Settlement funds in the amount of \$280,000.00, for one (1) year, and to start the Kaua'i Fentanyl Task Force to address opioid use disorders, mental health, and purposes of harm reduction. The anticipated start date is July 31, 2024.

G. LEGAL DOCUMENT:

1. [C 2024-139](#) Communication (06/24/2024) from the County Engineer, recommending Council approval of a Grant of Easement made by and between the County of Kaua'i and the State of Hawai'i, Department of Transportation, Highways Division (HDOT-Highways), to allow access to conduct maintenance in the area where emergency flood repairs and cleanup were completed following the April 2018 flood events along Kūhiō Highway Route 560 (State Project No. ER-19 (002)), situated at Tax Map Key (TMK) No. (4) 5-8-006:030 (Portion).

- Grant of Easement

H. COMMITTEE REPORT:1. PARKS & RECREATION / TRANSPORTATION COMMITTEE:

- a. **CR-PRT 2024-03:** on Bill No. 2922 A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REFRESHMENT CONCESSIONS AND INTOXICATING LIQUOR IN PARKS FACILITIES [**Approved.**]

I. BILL FOR SECOND READING:

1. [Bill No. 2922](#) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO REFRESHMENT CONCESSIONS AND INTOXICATING LIQUOR IN PARKS FACILITIES (*See also CR-PRT 2024-03; the Parks & Recreation / Transportation Committee recommended approved on second and final reading.*)

J. 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.)*

K. ADJOURNMENT.

- L. 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. 2923](#) – A BILL FOR AN ORDINANCE AMENDING 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 PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND

 2. [Bill No. 2924](#) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-897 AS AMENDED, RELATING TO THE CAPITAL 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 PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND—CIP