

COUNTY COUNCIL

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Bill DeCosta
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KipuKai Kualii



OFFICE OF THE COUNTY CLERK

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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

On March 16, 2020, Governor David Y. Ige issued a Supplementary Emergency Proclamation related to COVID-19 which suspended Chapter 92 of the Hawai'i Revised Statutes (HRS), relating to Public Agency Meetings and Records (also known as the Sunshine Law). Governor Ige continued the suspension of Chapter 92 with his Sixth Supplementary Emergency Proclamation dated April 25, 2020. On May 5, 2020, Governor Ige issued his Seventh Supplementary Emergency Proclamation amending his earlier suspension of Chapter 92. The suspension of Chapter 92 was subsequently continued through additional Supplementary Emergency Proclamations, the most recent being his Twenty-First Supplementary Emergency Proclamation dated June 7, 2021. Chapter 92 of the HRS was suspended to the extent necessary in order to enable boards to conduct business in-person or through remote technology without any board members or members of the public physically present in the same location. Boards shall consider reasonable measures to allow public participation consistent with social distancing practices, such as providing notice of meetings, allowing the submission of written testimony on items which have been posted on an agenda, providing board packets available electronically, live streaming of meetings, and posting minutes of meetings online. Furthermore, if a board has the staffing, technological, and other resources to hold a secure video teleconference (video and audio), it must in good faith, attempt to provide the public with the opportunity to observe the meeting as it happens, and provide an opportunity to deliver oral testimony. No board deliberation or action shall be invalid, if such good faith efforts to implement remote technology for public observations and comments do not work.

The meetings of the Kaua'i County Council will be conducted as follows until further notice:

- Meetings will be noticed pursuant to HRS Chapter 92.
- The meeting will be closed to the public to be consistent with social distancing practices.
- Councilmembers and/or resource individuals may appear via remote technology.
- The meeting will be live streamed and also available as an archived meeting after completion, at www.kauai.gov/webcastmeetings. Captions will be provided. Please note video production services or enhancements will not be available.
- Written testimony may be submitted on any agenda item and is appreciated at least one (1) hour prior to the meeting. Written testimony may be submitted to counciltestimony@kauai.gov, sent via facsimile to 241-6349, or mailed to the Office of the County Clerk, Council Services Division at 4396 Rice Street, Suite 209, Lihu'e, Hawai'i 96766. Any testimony received after this time will be incorporated into the record as appropriate.
- Oral testimony will be taken at the beginning of the meeting on any agenda item via the Zoom remote technology platform and it shall be the responsibility of the testifier to ensure that the Zoom software is downloaded **prior** to the meeting. Anyone interested in providing oral testimony shall provide a request to the Office of the County Clerk, Council Services Division at least one (1) hour prior to the meeting to cokcouncil@kauai.gov or by calling (808) 241-4188. This request shall include your name, telephone number, E-mail address, and the specific agenda item(s) that you will be testifying on. After oral testimony has been taken, members of the public should continue watching the meeting via the live stream link found at www.kauai.gov/webcastmeetings.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Council's website upon completion and approval.

COUNCIL MEETING NOTICE AND AGENDA
WEDNESDAY, JUNE 16, 2021
8:30 A.M. OR SOON THEREAFTER
COUNCIL CHAMBERS
HISTORIC COUNTY BUILDING
4396 RICE STREET, SUITE 201
LIHU‘E, KAUA‘I, HAWAII 96766

A. MEETING CALLED TO ORDER.

B. ROLL CALL.

C. APPROVAL OF AGENDA.

D. MINUTES of the following meeting of the Council:

1. June 2, 2021 Council Meeting

E. INTERVIEW:

1. CIVIL SERVICE COMMISSION:

- V. Pamai Cano – Term ending 12/31/2021

F. COMMUNICATIONS:

1. [C 2021-139](#) Communication (05/13/2021) from the Life’s Choices Kaua’i Coordinator, requesting Council approval to apply for, receive, and expend grant funds in an amount from \$25,000.00 up to \$75,000.00, from the Motion for Justice initiative by the Vera Institute of Justice. This grant funding will support plans to re-shape prosecution in the Office of the Prosecuting Attorney by re-centering the focus on racial equity, establish criteria to accomplish a measurable reduction in racial disparities, increase understanding of the history of racial injustice within the criminal justice system among deputies, advocates, and administrative staff, implement a people-centered program that respects and promotes a focus on non-white values/history, and focuses on restorative justice and *ho’oponopono* (a Hawaiian cultural practice focused on healing and accountability).

2. [C 2021-140](#) Communication (05/21/2021) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend State funds, in the amount of \$150,000.00, from the Hawai'i Tourism Authority, to be used for expenditures focused on taking action related to the priorities of the Kaua'i Destination Management Action Plan, and to indemnify the Hawai'i Tourism Authority-State of Hawai'i.
3. [C 2021-141](#) Communication (05/27/2021) from the Acting County Engineer, requesting Council approval to apply for, receive, and expend State recycling grant funds in the amount of \$45,000.00, to be used by the Department of Public Works, Solid Waste Division, to support Electronic Waste (eWaste) Recycling for Fiscal Year 2022.
4. [C 2021-142](#) Communication (05/27/2021) from the Executive on Aging, requesting Council approval to receive and expend Federal funds, in the amount of \$642,681.00, and to indemnify the State Executive Office on Aging, for the provision of Title III services of the Older Americans Act, which includes supportive services, congregate meals, home-delivered meals, preventive health programs, and the National Family Caregiver Support Program, for the Federal Fiscal Year 2021 that began October 1, 2020 and runs through September 30, 2024.
5. [C 2021-143](#) Communication (05/27/2021) from the Chief of Police and Mark Begley, Assistant Chief of Police, Patrol Services Bureau, requesting Council approval to purchase non-budgeted equipment with Fiscal Year 2021 unexpended funds in the amount of \$403,356.00, which will fund sixty-two (62) replacement mobile radios with preinstalled encryption software and installation of encryption software upgrades on forty-three (43) current mobile radios.
6. [C 2021-144](#) Communication (06/08/2021) from the Managing Director, requesting Council approval of the following:
 - Apply for, receive, and expend the first allocation of assistance for State, Local, and Tribal Governments – Coronavirus State and Local Fiscal Recovery Funds from the United States Department of Treasury, in the amount of \$7,021,034.00, appropriated by the U.S. Congress as part of the American Rescue Plan Act (ARPA) of 2021, to be used to support urgent COVID-19 response efforts, replace lost revenue, support immediate economic stabilization for households and businesses, and address systemic public health and economic challenges; and

- Apply for, receive, and expend, at the request of the State of Hawai'i, ARPA Non-Entitlement Unit Funds from the United States Department of Treasury, in the amount of approximately \$3,783,402.00, to be used for non-entitlement units for local governments smaller than 50,000 in population.

G. CLAIMS:

1. [C 2021-145](#) Communication (05/28/2021) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Dylan DePue, for damage to his property, pursuant to Section 23.06, Charter of the County of Kaua'i.
2. [C 2021-146](#) Communication (06/01/2021) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Donald S. Greer, for personal physical and punitive damages, pursuant to Section 23.06, Charter of the County of Kaua'i.

H. 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.)*

I. ADJOURNMENT.

- J. 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.

***TO VIEW MEETINGS OR MEETING ARCHIVES, PLEASE VISIT: WWW.KAUAI.GOV/WEBCASTMEETINGS.**