

COUNCIL MEETING

SEPTEMBER 23, 2020

The Council Meeting of the Council of the County of Kaua'i was called to order by Council Chair Arryl Kaneshiro at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, September 23, 2020 at 8:47 a.m., after which the following Members answered the call of the roll:

Honorable Mason K. Chock
Honorable Felicia Cowden
Honorable Luke A. Evslin (*via remote technology*)
Honorable Ross Kagawa
Honorable KipuKai Kualii
Honorable Arryl Kaneshiro

Excused: Honorable Arthur Brun*

Council Chair Kaneshiro: Please note that we will run today's meetings pursuant to Governor Ige's Emergency Proclamations with the most recent relating to the Sunshine Law being his Twelfth Supplementary Emergency Proclamation dated August 20, 2020.

APPROVAL OF AGENDA.

Councilmember Kualii moved for approval of the agenda, as circulated, seconded by Councilmember Chock.

Council Chair Kaneshiro: Is there any discussion on the agenda?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion for approval of the agenda, as circulated, was then put, and carried by a vote of 6:0:1*.

Council Chair Kaneshiro: The motion is carried. Next item.

MINUTES of the following meetings of the Council:

August 26, 2020 Special Council Meeting
September 9, 2020 Public Hearing re: Bill No. 2796, Bill No. 2797,
Bill No. 2798, Bill No. 2799, Bill No. 2800, Bill No. 2801, and Bill No. 2802
September 9, 2020 Council Meeting

Councilmember Kualii moved to approve the Minutes as circulated, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Is there any discussion on the Minutes from the members?

(No written testimony was received and no registered speakers requested to testify regarding these agenda items.)

The motion to approve the Minutes, as circulated, was then put, and carried by a vote of 6:0:1*.

CONSENT CALENDAR:

C 2020-234 Communication (09/10/2020) from Councilmember Chock and Councilmember Kualii, transmitting for Council consideration, a Resolution Supporting 'Aina Aloha Economic Futures Initiative And Transition To A Circular Economy.

Councilmember Kualii moved to receive C 2020-234 for the record, seconded by Councilmember Chock.

Council Chair Kaneshiro: Is there any discussion from the members on the Consent Calendar?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to receive C 2020-234 for the record was then put, and carried by a vote of 6:0:1*.

COMMUNICATIONS:

C 2020-235 Communication (08/27/2020) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend funds in the amount of \$600,000.00, from the United States Environmental Protection Agency (EPA) Brownfields Program for planning and assessment of the Kekaha Mill Site.

Councilmember Kualii moved to approve C 2020-235, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions regarding this item?

Councilmember Kagawa: Yes.

Council Chair Kaneshiro: I believe Nalani is on. Councilmember Cowden, then Councilmember Kagawa.

Councilmember Cowden: *Aloha, Nalani.* I am very excited about this request. You are asking to apply for a grant for the Brownfields project, correct?

There being no objections, the rules were suspended.

NALANI K. KAAUWAI BRUN, Director of Economic Development: Yes.

Councilmember Cowden: Six hundred thousand dollars (\$600,000). With the Kekaha Sugar Mill, I am familiar with the toxicity reports there. I am very excited for this. Is there going to be community input on what strategy will be used? I am all over that. I have a lot of resources and ideas.

Ms. Kaauwai Brun: Yes, absolutely.

Councilmember Cowden: Is E Ola Mau Na Leo O Kekaha a partner in some of this?

Ms. Kaauwai Brun: Yes. They have a layout, which I can send later to you of what the plan is. We are attempting to go after the 2021 funding. If it does not work out, we will go after the next round of funding. It is unlikely that we will get this year's money, but we can start the traction for the next year. We do have funds in the budget that you approved, and thank you very much, to do some of the outreach to the community. E Ola Mau Na Leo O Kekaha is also definitely a partner in this. We are also working very closely with Mayrose Munar, who a resident of Kekaha, who will be moving back to help us get this up and going.

Councilmember Cowden: Okay, I have been in conversation with her, too. I am happy to know that she is involved with this. I think this will be a broad benefit to everyone downwind and around it. I have been hoping for this for a good ten (10) years. Thank you for the effort. Just as a clarification for everyone out there, this is not taking away from moneys that are already going out to the area. I had that asked of me. This is a grant from the federal government and is a fresh pocket of money.

Ms. Kaauwai Brun: Yes, thank you.

Council Chair Kaneshiro: Councilmember Kagawa.

Councilmember Kagawa: Thank you, Nalani. What is the plan going forward for the site?

Ms. Kaauwai Brun: We are going to have a layout of how it is going to be done. It is going to start with community outreach, of course. We also have a team, including Mayrose and her team, to try and apply for the funding. They are going to operate in conjunction. We will start to try and ask for moneys first. At the same time, they are going to be engaging the community. We will start with the EPA funding and then move to the community engagement, and then look at the assessments of the property. This is more to try and de-risk the project as we move forward. I am happy to send to Scott the graph of how it is going to layout in terms of a timetable.

Councilmember Kagawa: Is there no plan going forward after it gets cleaned up?

Ms. Kaauwai Brun: Excuse me?

Councilmember Kagawa: After the site is cleaned up, is there a plan?

Ms. Kaauwai Brun: No. That is what they are going to be engaging the community to do. They have a lot of ideas. They are going to work with the community to really see what everyone wants to do. Once we get the information from the EPA report, they can figure out exactly what they can do in that timeline.

Councilmember Kagawa: Okay. I guess there was fear that there was possibly a plan being announced today about the County's intention for that site. Some of the community members saw this and heard that this was on the agenda and thought that there was a plan that they were not a part of in helping to decide what was going to happen.

Ms. Kaauwai Brun: The first plan is to do outreach to the community.

Councilmember Kagawa: Okay.

Ms. Kaauwai Brun: We have the moneys to do that.

Councilmember Kagawa: Thank you.

Council Chair Kaneshiro: Are there any further questions regarding this item?
Councilmember Kualii:

Councilmember Kualii: I had another question and a bit of a follow-up. This six hundred thousand dollars (\$600,000) is primarily for the EPA planning; right?

Ms. Kaauwai Brun: Correct, this is for the EPA study.

Councilmember Kualii: Based on the ideas or plans that the community comes up with, to actually do any project, it will probably cost a lot of money.

Ms. Kaauwai Brun: Yes.

Councilmember Kualii: Do you already have potential pots of funds or federal grants to go after to help the community do what they want to do?

Ms. Kaauwai Brun: Yes. A lot of the work going on this year is not just looking at pots of those things, but also to look at future partners and investors that could help. We are lucky to have Mayrose onboard, because she is very connected with a lot of "big money" people. We are hoping to bring that expertise to the Kekaha community.

Councilmember Kualii: This is really exciting. I think Kekaha could use economic revitalization of some sort. It will be exciting to see what they come up with and how big their dreams are. I just want to say *mahalo nui loa* to you. I thought that your writeup and description of this was thorough and good. Thank you.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Just to follow-up as much for the community that is watching, a Brownfields program is taking land that is toxic and making it not toxic. There are so many new technologies for bio-remediation that is not just digging up and throwing the soil away. It is creating healthy soil of what was toxic. There is a whole host of possibilities. Mayrose and I have been talking about it and have been looking at it for years. There are ways to do it that are not expensive. I hope that this can set an example for other areas that have the same problems. We can make this an opportunity for cleaning soils. That six hundred thousand dollars (\$600,000) is mostly...I am asking...designed around the detoxification of the land, it is not the repurposing of the land. It is taking the land that, right now, is not safe to work with and making it safe to work with. Is that correct?

Ms. Kaaui Brun: That is correct. This money is basically going to help us get on the property and have experts look at it.

Councilmember Cowden: And fix it. You should be able to fix it too with these moneys. That is my hope. With the way we do it, it would be. Thank you.

Council Chair Kaneshiro: Are there any further questions? Is there any discussion from the members on this item?

There being no objections, the meeting was called back to order, and proceeded as follows:

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to approve C 2020-235 was then put, and carried by a vote of 6:0:1*.

Council Chair Kaneshiro: The motion is carried. Next item.

C 2020-236 Communication (08/28/2020) from the Housing Director, requesting Council approval to perform the following:

- a. Exercise the County of Kauai's first right to repurchase a residential unit at 4277 Lehu Place, Lihu'e, Hawaii, 96766, Ho'oluana at Kohea Loa, Tax Map Key (TMK): (4) 3-7-012-026 CPR2, for a purchase price of not more than \$447,000.00, based on the payback calculation in the Repurchase Disclosure;
- b. Resale by fee simple of 4277 Lehu Place, Lihu'e, Hawaii, 96766, for not more than \$447,000.00; and
- c. Authorize the County Clerk to sign legal documents related to the acquisition and resale transactions.

Councilmember Kualii moved to approve C 2020-236, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Is there any discussion from the members on this item?

Councilmember Cowden: I do have discussion.

Council Chair Kaneshiro: Final discussion, Councilmember Cowden.

Councilmember Cowden: I just want to simply clarify that this is very much in alignment with our Housing Policy where we look at the repetitive affordability. This represents the purchase and resale of the same price of an existing affordable home. This is in that Hanamā'ulu area, near King Kaumuali'i Elementary School. We have that commitment to resell the house at no additional cost, so that twenty-year window of committed affordability will reset on this unit. I am saying that as much for the people listening and paying attention to our housing issues. This is an example of how the affordability perpetuates. Thank you.

Council Chair Kaneshiro: Is there anyone else? Councilmember Kualii'i.

Councilmember Kualii'i: I just want to further clarify, and Adam is probably here so he can help, but right now, the twenty-year term of affordability or the twenty-year buyback requirement is basically that the County has the first right to purchase the property that was obtained as affordable in the first place. The County's intention is to sell it at the lowest price possible or at that similar price to make it affordable for the next buyer, who will probably come off our affordable housing list. As it is, when an occasional property comes up here and there, the County is financially able to buy a house. Right now, it is within that twenty-year period. As the periods grow, then that is more opportunity for the County to purchase and sell it back at an affordable rate. Obviously, if the County had a lot of money, we would want it to be long and buyback everything and sell it all at affordable price, but there is a balance based on the available funding.

Council Chair Kaneshiro: Is there anyone else? Councilmember Kagawa.

Councilmember Kagawa: For me, I will go back to this story that I just heard. There is a house kind of close to mine...it is an older house...there is a lot of work to do on it. It sold for six hundred fifty thousand dollars (\$650,000). A local boy bought it. He is a Kamehameha graduate, and his wife was laid off due to COVID-19. We talk about affordable housing and how we are going to help the local people. There are local people that are buying, mortgaging their lives, not getting subsidized, and buying it at market prices. I think the true work for this body going forward, when I am not here, is, "How do you get the market to come down?" Many people, who as former Councilmember JoAnn A. Yukimura would say are the "have-nots," that do not benefit from the County's affordable housing opportunities, they are going out there and getting it on their own through the market. They are not rich. Why should the County dictate who buys where and at what price? People should buy where they want to live. It is not about helping the "haves." We have to help the

“have—nots” too. The “have—nots” are also local children that want to remain and live here on Kaua‘i. I will just leave that with you folks to think about.

Council Chair Kaneshiro: Is there anyone else? Councilmember Cowden.

Councilmember Cowden: Is Adam here?

Councilmember Kualii: He will be here later.

Councilmember Cowden: Okay, I can talk to him about it later.

Council Chair Kaneshiro: He is here.

There being no objections, the rules were suspended.

ADAM P. ROVERSI, Housing Director: Was there a question for me?

Councilmember Cowden: Yes. Director Roversi, just as a follow-up to what Council Vice Chair Kagawa said. When local people, who might want to buy a house that is challenged, they do not have to buy where we have defined some affordable housing, correct? They can come to the County’s Housing Agency if they are qualified and on the First-Time Homebuyer’s list? Can the County help them then with the house they select? I know that in the past that has been the case.

Mr. Roversi: Generally, not. We do not help people who find a market rate house.

Councilmember Cowden: To support the purchase?

Mr. Roversi: If they come to us, we do not provide the loans, financing, or means to purchase a market rate house that they found somewhere else on the island.

Councilmember Cowden: So that has changed? I know people who have done it, but it has been probably ten (10) years ago or more.

Mr. Roversi: We have a relatively small loan program that currently has three hundred thousand dollars (\$300,000) in funding. We generally utilize those funds to help people who are purchasing homes within our existing Homebuyer Program. They can qualify for a loan, but there is a little bit of a gap that cannot quite hit the dollar amount of lending requirements. We use that relatively small amount of funding to provide small second loans that help fill the gap needed for purchasers to buy a house. Three hundred thousand dollars (\$300,000) is not going to go very far to purchase entire homes. That is why we use it for small infill financing.

Councilmember Cowden: That infill financing might be able to help that family that Council Vice Chair Kagawa spoke about if they needed an extra fifty

thousand dollars (\$50,000) for the down payment? If they are already on your list, that is.

Mr. Roversi: That is possible. We really do not have a system set up for people to solicit from the general public for loans. Like I mentioned, we typically do it on the projects that we are already operating in-house. That does not mean that that could not be organized in the future. That does not currently exist. I do not want to give the false impression that someone could knock on our door tomorrow and say, "Hey, I found a house that I want to buy, can you provide me a loan?" We are not currently set up to do that.

Councilmember Cowden: In the past, there has been something. Okay, thank you.

Council Chair Kaneshiro: Councilmember Kagawa.

Councilmember Kagawa: Adam, the gist of my rant right now is that because of the lack of inventory of single-family houses in Līhu'e, that is why these types of old houses, because of the location, are selling at high prices. The house is in bad condition. Six hundred fifty thousand dollars (\$650,000) for a house that is fifty (50) or sixty (60) years old and needs a lot of work...that is very high. But because we do not have the supply or the inventory, and I know Ms. Yukimura hates that word...we do not have the inventory that the market folks who do not come to the County for help, and do it on their own, they are suffering. Right?

Mr. Roversi: My hope is that the amendments that have been proposed to the Housing Policy will help to do exactly what you are after. I know you will be discussing that later in Committee. The proposed amendments will help increase the overall supply of housing, especially in the Līhu'e area that you are talking about.

Councilmember Kagawa: That is exactly my point. My question is actually agreeing with what you, Councilmember Kualī'i, and Council Chair Kaneshiro are trying to do. You are trying to boost the inventory up so that we can have some reasonable prices for our local families. Whether they qualify for affordable housing or whether they do not, they are still our *keiki* and they are still the ones that we have to focus on trying to keep here with the ability to buy a house, like everyone dreams of doing one day.

Mr. Roversi: I appreciate that comment. Thank you.

Councilmember Kagawa: Thank you.

Council Chair Kaneshiro: Are there any further questions for Adam?

There being no objections, the meeting was called back to order, and proceeded as follows:

Council Chair Kaneshiro: Is there any final discussion from the members?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to approve C 2020-236 was then put, and carried by a vote of 6:0:1*.

Council Chair Kaneshiro: The motion is carried. Next item.

C 2020-237 Communication (09/08/2020) from the Emergency Management Administrator, requesting Council approval to enter into an Information Sharing Access Agreement (ISAA) between the Department of Homeland Security / Federal Emergency Management Agency (DHS/FEMA) Federal Insurance and Mitigation Administration (FIMA) and the County of Kaua'i, and to indemnify the Federal Emergency Management Agency (FEMA) for information sharing access as it relates to Repetitive Loss and the National Flood Insurance Program (NFIP).

Councilmember Kualii moved to approve C 2020-237, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Is Elton here?

There being no objections, the rules were suspended.

ELTON S. USHIO, Kaua'i Emergency Management Administrator:
Councilmember Cowden, I am on the call.

Councilmember Cowden: Thank you so much. I have attended a handful of conferences that bring up this issue and this change. Can you provide a brief explanation of what this means? My thought is that it is saying something to the effect that if the place keeps flooding, you are not going to keep getting the insurance. Is that the direction that this is going? Can you explain what this is?

Mr. Ushio: Councilmember Cowden, I will do my best. I also have support staff on this call as well. This includes a former FEMA employee, who now works for the Kaua'i Emergency Management Agency (KEMA). David Kennard will be able to back me up, along with Chelsie Sakai. My understanding is that this information...we are asking for the indemnification. This information will be shared with us, but we will not be releasing particulars of it, as part of the plan; rather, it will be used for planning purposes. All of the property-specific and protected information will not be part of it. We are just indemnifying FEMA in the unlikely event of a data breach, since we have access to that data. David, would you like to add anything to that?

DAVID KENNARD, Disaster Assistance Project Manager: Am I on?

Mr. Ushio: Yes, you are there.

Mr. Kennard: This is David Kennard and I work for KEMA. Elton is basically correct. Part of the planning process is to try and do projects...one of the outcomes of the planning process is to do projects that will reduce the damage to properties from hazards that affect the island. One of those hazards is flooding. FEMA is very interested in people having flood insurance. When there are multiple flooding events and people have multiple claims on the Flood Insurance Fund, FEMA would like to direct projects to the affected areas to reduce the impact of that flooding over the long term, so there would no longer be claims on the insurance fund. Not that they cannot have flood insurance, but to reduce the claims on the insurance fund. Part of the planning process is to think about activities or actions that the County can take to reduce the impact of flooding on the structures and people of Kaua'i. To be able to develop the strategy to address that, we need to know where those repetitive loss properties are. Those properties that have filed multiple claims on the insurance fund. FEMA is willing to give us information about those properties, but it includes information that is personal, such as what size the claim was, who the owners are, et cetera, and that might potentially have a negative impact on the value of the property if that becomes public. FEMA is very careful about keeping that information very close hold and in sharing that with the County, FEMA is requiring the County to take equal care in holding that information. As Elton said, if there is some unfortunate breach of data that becomes public, the County has to tell FEMA, we would indemnify you for a mistake that happens when the data is in control of the County. That is the intent of the indemnification clause of that contract.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I am hearing and understanding that this is a narrow agenda item just regarding the data. It is not regarding the ability to continue to get insurance. Councilmember Evslyn and I both...I believe he was there...we attended a conference where the discussion was...they are going to stop insuring in these problematic areas and the private sector is likely to do the same in a window of time. They want people to stop building in problematic areas. This is not creating that risk of information, correct?

Mr. Kennard: No. In general, FEMA is very interested in people having flood insurance. If there is an event that causes some flooding that is not of the magnitude to require state or federal assistance to the county-level, people can still rely on the flood insurance to support them in the recovery process from the damage from flooding. FEMA is very interested in having people have access to flood insurance.

Councilmember Cowden: Okay.

Mr. Kennard: The focus of this contract is to get information to allow the County to develop a strategy to address those properties that are at highest risk of flooding damage.

Councilmember Cowden: Okay. Perhaps I could meet with you later to share with you where I got that other information. Thank you.

Mr. Kennard: I appreciate that. I would like to find out exactly what the issue is. Thank you.

Council Chair Kaneshiro: Are there any further questions from the members?

There being no objections, the meeting was called back to order, and proceeded as follows:

Council Chair Kaneshiro: Is there any final discussion from the Members on this item?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to approve C 2020-237 was then put, and carried by a vote of 6:0:1*.

Council Chair Kaneshiro: The motion is carried. Next item.

JADE K. FOUNTAIN-TANIGAWA, County Clerk: Council Chair, for the next item, we do have an Executive Session scheduled to accompany that item. Did you want to skip to the Committee Reports?

Council Chair Kaneshiro: Yes.

There being no objections, CR-COW 2020-21 was taken out of order.

COMMITTEE REPORT

COMMITTEE OF THE WHOLE:

A report (No. CR-COW 2020-21) submitted by the Committee of the Whole, recommending that the following be Received for the Record:

“Communication (08/28/2020) from Councilmember Chock, requesting agenda time for a briefing from members of the County’s Abandoned/Derelict Vehicle Task Force, to provide their findings, recommendations, and action items to address the abandoned and derelict vehicle problem on Kaua‘i,”

Councilmember Chock moved for approval of the report, seconded by Councilmember Kualii.

Council Chair Kaneshiro: Is there any discussion from the members on this item?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion for approval of the report was then put, and carried by a vote of 6:0:1*.

RESOLUTION:

Resolution No. 2020-43 – RESOLUTION SUPPORTING ‘ĀINA ALOHA ECONOMIC FUTURES INITIATIVE AND TRANSITION TO A CIRCULAR ECONOMY

Councilmember Kualii moved for adoption of Resolution No. 2020-43, seconded by Councilmember Cowden.

Council Chair Kaneshiro: We have one (1) person who provided voicemail testimony, Malia Nobrega-Oliveira.

There being no objections, the rules were suspended to take public testimony.

MALIA NOBREGA-OLIVERA (*via voicemail message*): *Aloha*, this is Malia Nobrega-Oliveira. I am submitting this testimony in strong support of Resolution No. 2020-43 that supports the ‘Āina Aloha Economic Futures (AAEF) Initiative.

Aloha Councilmembers, Kaua‘i County Council. I am writing on behalf of Moku o Manokalanipō, Kaua‘i Council Association of Hawaiian Civic Clubs; which represents the four (4) Hawaiian Civic Clubs based on the island of Kaua‘i. Moku o Manokalanipō strongly supports the adoption of Resolution No. 2020-43 that supports the ‘Āina Aloha Economic Futures Initiative. The COVID-19 pandemic has presented unprecedented circumstances that demand collective action to revision and rebuild our economy here on the island of Kaua‘i. Our members actively participate in the Association of Hawaiian Civics Club meetings, and the board recently made a decision and signed onto the ‘Āina Aloha Economic Futures Declaration. I am not going to read entire testimony, but you should have received it via E-mail. What we are excited about is that this Declaration is an innovative way to ensure the core values of our *‘ike kūpuna* and our ancestral Hawaiian knowledge is woven into the new future and reality that we have. Moku o Manokalanipō respectfully urges the Council to immediately adopt Resolution No. 2020-43. *Mahalo*. The Hawaiian Civic Club movement was founded in 1918 by our Congressional Delegate Prince Jonah Kūhiō Kalaniana‘ole, who was born on Kaua‘i. We currently have four (4) Hawaiian Civic Clubs on the island of Kaua‘i.

Council Chair Kaneshiro: We received a lot of written testimony regarding this item. This Resolution was introduced by Councilmember Chock and Councilmember Kualii. Councilmember Kualii.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Kualii: Yes, I will speak briefly and then I will let my co-introducer Councilmember Chock talk about the specifics within the Resolution. I would like to say that I saw this in my E-mail several weeks ago and I felt that it was important being that it already reflects values that most of us already share. For me, personally, one of the reasons I ran for Council was to advocate about the issue to protect our *‘āina*. My idea of protecting the *‘āina*, and when she talks about *‘āina momona*, is about our *‘āina* as it is part of our daily lives which helps our subsistence. I come from a family throughout the island who are hunters, fishermen, gatherers, growers, farmers, and ranchers, where we get the food from our *‘āina*. Moving forward and as we rebuild our economy; our original economy was the *‘āina*. Our ancestors lived off the land where they got food and exchanged from *mauka* to *makai*. As we rebuild our economy, it makes sense to refer to the past to learn and instill the values and the ways that it was done before. With this Resolution, we can learn from Native Hawaiian voices, values, and experiences which are able to influence how we move forward with our recovery, cultural experts, practitioners, scholars, and other community leaders.

My family is also with Hui ‘Ohana Pa‘akai o Hanapēpē. I really appreciate Malia Nobrega-Olivera, her testimony, and her leadership with our *pa‘akai*. Not only is this good for our food, it is also good for our number one industry, which is tourism. People come here to enjoy the nature and Kaua‘i. As we progress our tourism, we hope to include the responsibility of the *‘āina*. Councilmember Chock.

Councilmember Chock: Thank you, Councilmember Kualii. I am happy to introduce this Resolution. When we looked at the Kaua‘i Economic Strategies recommendation, one of the things I did was look what was happening statewide. I received an E-mail from ‘Āina Aloha Economic Futures requesting me to sign the Declaration. It was a call for unity. It was a way for us to look at economy regrowth and to get a handle on industries like tourism for quality purposes moving forward. From that, there were approximately fourteen (14) authors; three (3) of which are on the call today and include Amy Kalili, Davis Price, and Keoni Lee. I asked them to join in on a meeting with our Office of Economic Development. Nalani and Diana sat down to look at what was emerging out of the interests, not only the philosophies, but the different ideas that were coming forth in terms of what we could invest in. Particularly in a few sectors, there was crossover between tourism and agriculture. When I looked deeper into this, the Governor and Mayor Kawakami have both signed on, and some of the other councils have put forth Resolutions like this. We felt that it was a good fit for us here on Kaua‘i. They were pleased to hear what we were doing and our recommendations. Nalani and Diana are here. This Resolution directs us to support the philosophies that are outlined in the Declaration. As Councilmember Kualii stated, it is to also to utilize tools used in their strategies to connect values and to ensure they are embedded into our decision process. With that, Council Chair Kaneshiro, we have guests who have joined us today.

Council Chair Kaneshiro: Do they have a presentation or are they going to answer questions?

Councilmember Chock: They are here to answer questions. Diana did a lot of work to find the crossovers.

Council Chair Kaneshiro: Are there any questions from the members?
Councilmember Cowden.

Councilmember Cowden: I would like to start by saying that I am very enthusiastic about this Resolution. It seems like the right approach that we need to take not only as an island, a State, but worldwide. I am trying to understand that this is a directional change. When we are attaching this to COVID-19, is there Coronavirus Aid, Relief, and Economic Security (CARES) Act money supporting this?

There being no objections, the rules were suspended.

Ms. Kaaui Brun: Nalani Brun, Office of Economic Development. No, it is not part of the CARES Act. Often with Economic Development it is very old and CARES Act does not cover that timing. However, we spoke to Mr. Price and Ms. Kalili to go over some of the programs that we had. Diana can go into that further to see where we had a nexus already happening to expand on that. The Office of Economic Development absolutely believes in all the values that are stated in this document. We have no problems moving forward on this. I believe it is the future of our island. We have been trying to head in this direction. With the support of Mr. Price, Ms. Kalili, and their team this is another way for us to compound our efforts. I will let Diana Singh talk about the nexus and where we saw the connections already happening.

DIANA SINGH, Business Innovation Coordinator: Hi, I am Diana Singh, Business Innovation Coordinator, Office of the Economic Development. After our first meeting with Mr. Price and Councilmember Chock, we went through and compared one hundred eighty-five (185) recommendations that Mr. Lee shared with us from 'Aina Aloha Economic Futures, and we compared those to forty-five (45) recommendations that we had from the Kaua'i Economic Recovery Strategy Teams (KERST). There is a larger perspective, which is that when we were approaching the KERST Report and work, many of those reports showed shorter-term projects. Whereas the vision of the 'Aina Aloha Economic Futures is more of a future-thinking collaborative effort with several phases that is based on guided principles that are outlined. While not all of the projects are completely aligned, where we saw a lot of alignment was related to some of the recommendations from our Futures and Finance Team. Within tourism, there was alignment specifically related to reimagining tourism in several different ways. What we saw between both efforts was that the proposals that had the most traction were those that represented this collaborative approach with a shared vision for how to move forward. I believe that is the spirit of what Mr. Price has been working on.

Councilmember Cowden: I have a follow-up. Would this then be inclusive of regenerative agriculture? On the north and east, we have been moving in that direction for the past decade or two. It takes time to have that strategy of soil rebuilding work. I appreciate the bioremediation of the Kekaha Mill site. It is almost a one hundred eighty (180) degree turn from the current existing strategy of many of

our larger agricultural properties. It is important to have a plan to offer support. For that transition, how will the big agricultural fields be able to change their strategy—we are not imposing this on them. Is there a plan in place on how that transition occurs?

Ms. Kaauwai Brun: Nalani Brun, Economic Development. We have not looked into changing what currently exists. Right now, Economic Development is looking at the funding that we have available and that we will be going after. When we distribute these funds, we will be looking at the matrix that they created that guides projects to the area that you are talking about. At this point, we have not made any efforts in making changes to what already exists, but we will.

Councilmember Cowden: Thank you.

Ms. Kaauwai Brun: Thank you.

Council Chair Kaneshiro: Councilmember Chock.

Councilmember Chock: Thank you, Council Chair Kaneshiro. Mr. Price, thank you for being here on today's call and representing the authors, thank you for all the work that you have done. Are you able to shed light on the process that you folks have gone through, where you currently are in the process, and what we can expect from the organization moving forward?

DAVIS PRICE: *Mahalo*, Councilmembers. I would like to acknowledge that Keoni Lee is also on the call. The both of us can share the time to speak. *Mahalo nui* for taking the time to consider this Resolution. *Mahalo* to Nalani and Diana for your work and follow-up. It is good to hear that you cross-referenced the proposals, *mahalo*.

I will share an overview of what we have done so far. This is an organic effort that sprouted from a handful of colleagues who thought we should write an op-ed piece. When this started, we wanted to acknowledge the crisis, but also recognize the opportunity to revision and reshape our economy moving forward. That op-ed idea turned into a four-step, we are now on month five (5) or six (6) of this massive community engagement process. When you think about it, it is amazing to see where we are at today. We went from an op-ed piece to starting a value statement. Every step has been guided by the community input that we got and received for each of those steps. Step one, we crafted a value statement, established the core values and declaration, and went out as a sign-on. From feedback received, we recognized that we needed a few more steps. Step two, a second sign-on was implemented called a Huliau Action Agenda—which is a set of outcomes developed from the value statement. If you are building on the values, what are some of the outcomes that we are able to achieve? That was then circulated and we received a significant amount of input from approximately two hundred (200) individuals that suggested revisions, edits, and contributed their own ideas. We incorporated that *mana'o* and ended up with the final draft of the Huliau Action Agenda. Step three, we moved toward the broader community engagement effort. The interactive component consisted of identifying fourteen (14) sectors of the economy and solicited idea or project proposals

for each sector that could be implemented based on these values and the action agenda. We hosted a webinar. We had facilitators for fourteen (14) separate breakouts where we discussed the proposals and went through the process. That is the one hundred eighty-one (181) proposals that Diana referred to. Step four, the synthesizing of information; coalescing the information, voices, and stakeholders; and producing a playbook of how we are going to achieve this vision. We are calling it a report, but I think it will end up being a playbook. It will be a resource that is able to guide us on how we are going to achieve ideas; some that have been mentioned on this call. When we talk about grabbing a hold of our *‘ike kūpuna*, which is at the core of this effort, and looking back to our ancestors to guide how we manage our resources and invest moving forward. That is the genesis of this effort. I would like to point out that this is not a Native Hawaiian effort. It is a collective effort that is driven by Hawaiian values and *‘ike kūpuna*. Knowledge...it is not opinions, it is not ideas, it is facts of what we know worked for over thousands of years with managing our resources. Identifying that we are in a place where we are doing a lot of things that do not work. Let us get back to the basics and look at what has worked. We can do this collectively, not just Hawaiians. We had painstaking debates amongst the core group of fourteen (14) people who drafted this document. We had discussions on how we want to engage our collective community. Many of the drafters and main coordinators are Native Hawaiian, but recognizing that this is not only for Native Hawaiians, it is for all of us, it is for Hawai‘i. It is meant to be inclusive and it is not meant to be presumptuous. We need to get back to the basics; *‘āina* and community. When we put those things first, we can start to simplify the things that we over complicate. That is the intent and the synopsis of the steps. We are working on Step 4. It is a playbook for the long term. I would like to segue and introduce Keoni Lee. I hope I was able to paint a picture. One of the challenges we struggled with is balancing the immediate need for action, but also keeping an eye out on the long-term systemic change. I believe that is going to be the focus of step four. When I talk about the playbook, it is going to be something that policymakers can look at. We will have ideas for policy changes that can address things that have been raised through the *‘Āina Aloha* effort or the things that we identified as changes that need to happen. There will be a bucket for institutions for both private and public in terms of guiding investment. There will be a bucket for community engagement for community, as community members, things that we can do to move collectively in order to achieve these changes. Ultimately, there will be a role for all of us. I left this out earlier, but I would like to mention the assessment tool that is mentioned in the Resolution. The assessment tool was developed as we were going from step two to step three. To me, that is one of the driving forces of this because it changes the scorecard. It is really meant for bodies like the Council and Administrative departments to utilize when we are reviewing projects. I think that a lot of the challenges that we face in the community when projects get pushback, the West Kaua‘i Community Plan is becoming a hot topic on social media now, the root of that is the communities feel that their voices are not being engaged. This rubric and really this process that we have endeavored with the *‘Āina Aloha* effort is centered on community engagement. It gives a voice to the community. How do we place value on the things that we do not normally consider? To help with the *‘āina* and the well-being of our communities. The well-being of our families. Those types of things should be factored into our decision-making process. The assessment tool attempts to achieve that. I think that assessment tool will be a part of that guiding light for how we continue to endeavor

on this for the long term. With that, I will stop rambling and handoff to Keoni. He is much smarter than me. Take it away, Keoni.

KEONI LEE: *Aloha mai kākou, mahalo* to the Council for the opportunity to share and for this opportunity for a Resolution to support our initiative. Another thing to add from Davis' statement is that the fourteen (14) of us have been doing this for the last few months on a volunteer basis. This is a completely volunteer effort. There has been no formal support or anything like that. It has truly been about community engagement and servant leadership. That is what this whole thing was about. Building on the systems change perspective of it, what we recognized early on is that our economic recovery is an economic transformation. We can no longer go back to what the status quo was pre-COVID. We know that reality has shifted. For us to make a systemic transformation of our economy, we must take a different kind of approach and mindset to the work. If we think that these problems are technical, predictable, and linear, and we apply linear or predictable types of solutions, we are not going to create the kind of change that we need. This is adaptive. This is ecosystem changing. This is transformation work. That cannot be done directly in all cases. It must be done indirectly. Solutions need to be indirect and about systems change in applying inertia and different types of intervention into the system. That mindset is important. When we have to look at more stakeholders and we really must learn about the problem...you cannot predict today...put in a solution, and expect that it is going to solve the problem. This is about having a different kind of leadership.

Unfortunately, I think across the State, Hawai'i's people have been suffering from the high cost of living and things have been just getting progressively worse. I hate to say it, but the reality of it is that Hawai'i's people have lost faith in Hawai'i's leadership. We must reestablish that relationship between community and leadership. I have to say, and this is not sucking up in any way, but the leadership that I have seen exercised on Kaua'i through this pandemic, I think, is the best in the State. From the Mayor to the Council, to what is happening on the ground, the work that Nalani folks have done in organizing their proposals, I think all of that is head and shoulders above what is going on across the State. I just want to commend you on that. I think we are thinking around the same things that is centered on that accountable leadership to community, the collective goals, bringing the community along, and being in partnership with the community. I am a firm believer that change happens at the speed of trust. We have to engage community in meaningful and authentic ways. Not just hear is something, we will take it under advisement, and we will go and do something else. You have to be in a relationship with the community. That was part of our goal. Meaningful, true, accountable engagement with the community to develop ideas and to come together around unified values as an approach for systems change, right? Unified values are super important. If we are going to be doing transformational systems change work, it is hard. It is not predictable. You cannot be prescriptive about it. It is a learning process. We are going to try some things and we are going to fail. We must create an environment where failure is okay. If we are just going to attack each other when we fail, we are not going to get anywhere. Failure is a part of innovation. Failure is a part of transformation. We must have relationships and trust in order to do that. That is what the value set is for. There is a lot of talk these days. The buzz words of resilience,

equity, justice, and sustainability—for those things to really happen, we have to have meaningful relationships and trust in the community to do that. We are going to get to a point in the conversation and in issues where it is going to get contentious. There is going to be conflict. It is at those moments where we have to say, “Pause, here are the unified values that we all ascribed to and affirmed, right? We are on the same page about this? These are the values that we are trying to accomplish. Now, how do we approach this conversation now? How do we figure this out?” How do we be in partnership and community with each other. That is the kind of leadership that we need to uplift and make accountable if we are really going to see the systems change that we are looking for. I will just say one last thing that I kind of live by. That is moving power closer to the pain. People who experience the pain know the pain and they know the problem, because they have lived with the problem. They have lived, experienced it, and have a relationship with it. They are the best to solve for these problems. How do you take that approach into our work as leaders in the community? We have to stop this top-down and think that we know better than people who are experiencing the problem mentality. That has to stop. If we can really trust, build relationships with each other, and be aligned by our culture and our realities and values that we say we are, then we need to put our actions as leaders into play with that kind of a mindset. Just like Davis, I will stop rambling and just say *mahalo* for this opportunity to share and engage with you on what this is about.

Council Chair Kaneshiro: Thank you. Councilmember Kualii.

Councilmember Kualii: Thank you so much for all the work that you are doing. *Mahalo nui loa*. I only have one quick question. When I originally saw the initiative online weeks or months ago, I signed on as an individual Councilmember and I saw that our Mayor had signed on as well. Today, we are doing this Resolution as a body. Would it also still be helpful for individual Councilmembers to sign on as individuals?

Mr. Lee: I think so. The more, the merrier. If you sign your name, you are saying that I want to be accountable to this community vision. I want to be accountable to community. I want to be accountable to these values. That is what we need. We can say, “Hey, I am there with you. We are in relationship, so let us build that relationship and trust together.”

Councilmember Kualii: Thank you.

Councilmember Chock: *Mahalo*.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Did you want to say something?

Councilmember Kagawa: Yes. I thank you for your observations of Kaua'i. For me, you are talking about asking the people who are suffering the most, and I do not know how it is on the other islands, but on Kaua'i, the local people are really humble. They do not express themselves. They rely on the leaders and the organizers like you to speak for them. They prefer talking in side conversations. The

people you see complaining about the government and about anything on their mind, it is all people from the mainland who move here. Those are the “loudmouths,” who are abrasive, and who offend people publicly. The local people do not do that. They are humble. I think that Kaua‘i is really unique. We need venues that have those chances or opportunities for a lot of those side conversations to happen. Publicly, local people of Kaua‘i are really timid to come out and express their thoughts in a public forum. That is the difficulty that I think we often have. Even with this West Kaua‘i Community Plan, it is the same thing. Now, after all the public meetings, now we are hearing from the local voice that is saying that they did not get their chance. It is just by nature that a lot of times in the public venue, they do not want to speak. On that side, we have to find ways to improve that.

Council Chair Kaneshiro:

Councilmember Cowden.

Councilmember Cowden: I am probably from that community that he is speaking about, the “loudmouths.” I just want to say how much I appreciate the inclusion. I am lucky because I live in the Kīlauea area. We are in the rain shadow, so it makes it easy. I want to acknowledge that even people without generational ‘*ike*, if they just listen and learn humbly, which is what we have tried to do. In our community, we have achieved remarkable success. I think this is very important. Our success happens on ambient conditions. When we are looking at this regenerative effort, ambient conditions—you do not argue with the land, you work with nature, and what I see is that it is really easy to create food in abundance, but it is a lot harder to create money. Maybe that is part of the temperament of the people doing it. Our intentions centers on the respect for the soil more than the creation of money. That takes a little bit of time. What I was saying earlier when you see where there is a whole community that has had economically productive agriculture, like on the west side, it is harder to make that shift quickly. In our community, we were sugar and pineapple. We have all this saturation of contaminants in the soil. You can bioremediate it and you can make it work. I know in my own garden, my soil has visibly grown six (6) inches in height and in some places ten (10) to twelve (12) inches in as many years. I just want to acknowledge that it is very possible, but where I think our challenge is going to be is on the patience that is required with the economics. In the community of where I am seeing this work, either people have “straight jobs” in addition to it, and sometimes two (2) straight jobs. You have to pretty much almost live like a peasant to pull it off. In this visioning, do we have a timeline or pathway of transition for that economic change for people who make their money doing it the old style or medium style way? The old style before contact...it is hard to get back there, but it takes five (5) years to make your soil better or enough for the trees to grow. The trees are what makes you not have to water. I do not water my yard or our food forest.

Mr. Price: I think that is a good question. *Mahalo*. I think Keoni probably has an answer, too. I just want to touch on that a bit. I think Keoni touched on it. This is an ecosystem change, right? It is hard to put a timeline on any individual aspect or component of it. I think we have to look at the ecosystem change and start breaking that down. Knowing that the lifestyle changes that come with this are not meant for everyone to embrace at one time. There are pockets of individuals, organizations, or projects that are leading the way in some of these areas.

It is not just agriculture. For example, with agriculture, since that was the question, it is not just the land. You have to talk about housing, the cost of living, and all of those things that need to be factored in. What makes agriculture work? The wages cannot sustain the workforce. You have to look at housing. What role can the counties, nonprofit developers, or the State governmentally in collaborating to identify how we build affordable workforce housing for agricultural workers to offset some of those lifestyle changes that can be challenging? I forgot to mention earlier that I am also an employee of the Office of Hawaiian Affairs (OHA), but I took vacation today. I just wanted to make sure that I shared that. Keoni, I will hand it off to you. I know you probably have a good answer for that question.

Mr. Lee: We have to balance this kind of theory of change and approach at different time scales and different altitudes. There is an immediate need to apply fixes and that is understandable. We can always apply the value set to the decisions that we make. It may not be the best and perfect decision for the long term, but it is what we need for right now and that is okay. The metaphor that I would use is from Polynesian voyaging. There is an island that we are trying to get to. Let us just say that there is a fleet of *wa'a* that are trying to get to that island. Each *wa'a* is a little different, a little faster, can hold higher into the wind, and has a different, more experienced crew. The ocean conditions are going to change. Some are going tack, and some are going to hold the line. They are going to take their paths. Eventually, they are looking at the same island and trying to get to the same place over time. That is the mindset that we can apply. What the Kaua'i County Council is going to do is going to be a little different than what the Honolulu City Council is going to do and what the different institutions are going to. If we are all sharing the same vision of the island and why we are trying to get there, then that is the most important thing. I will leave it at that. I know you are very busy.

Council Chair Kaneshiro: Are there any further questions from the members? I have a question. Mr. Price, I really appreciate what you said about inclusiveness and balance. In reading the Resolution, there is talk about a circular economy. I really have not heard much about a circular economy until a little more recently, maybe in the last year or two (2). Some of the things in the Resolution talk about a regenerative and equitable economic system, decoupling of economic growth from environmental degradation, and I am not really clear on what that means or what kind of direction would come out of that. Could you help me understand that a little more?

Mr. Price: I would say that I am not the expert on this part of our *hui*. Dr. Kamanamaikalani Beamer is really the one who has been doing the heavy lifting and the research on that in his capacity as a University of Hawai'i (UH) Professor. My answer to your question is to me, the circular economy concept is probably the biggest direct shift that we are talking about that really requires a long-term investment. Decoupling environmental degradation...that is really rethinking how we do things on a real micro day-to-day individual scale all the way up to industry scale. I know some of the examples that have been shared that are taking place in other parts of the world are really reshaping the construction industry. What types of materials do they use? How are buildings designed and constructed? That level is going to really take some serious and long discussions with

industry leaders, scientists, and UH professors to talk about what types of changes are necessary to achieve that scale of shift. On the smaller scale, it is day-to-day use of items. How we use our resources both natural and the things we buy as consumers. Being less wasteful, purchasing less plastic, and reusing items that we would normally throw away. It is a big shift change thinking and big picture thinking. I do not know if I am being helpful in answering your question right now, but it is an area that will take commitment from bodies like the County Council. I know Kaua'i has done this better than other counties, but I think things like limiting how plastic is used, things like that contribute to the circular economy concept.

Mr. Lee: Can I jump in, Davis?

Mr. Price: Yes.

Mr. Lee: It is really about consumption. The capitalist kind of model is dependent on growth, productivity, and consumption. As people who live on islands, we have to really change our mindset that things like designing for the dump where products are just used one time and then they are thrown away, those types of things are things we really need to shift away from. How do we change how much we are consuming, what we are consuming, being conscious about the waste stream, and use the waste stream for another product or another service? Our *kūpuna* had this built into the *ahupua'a* model. When the *'auwai* went into the *lo'i* and came out of the *lo'i* it had nutrients that fed our *muliwai* and our estuary. We can apply these same ancestral concepts and repurpose them for contemporary use, but it is that kind of mindset of living on islands knowing that we cannot just import our problems away and continue to live that lifestyle. It just does not work. It is going to be a long-term shift, but it is that mindset of reducing consumption and being more conscious of what we are consuming and what we are disposing and how to create those streams where you are taking those waste and using it for something else downstream.

Council Chair Kaneshiro: Thank you for that. Even thinking about plastic, for me, thinking about balance and how it gets reused, a lot of plastic containers that I end up purchasing in a *poke* bowl from the store, I actually use that container at home to store food that we cook. It is a hard balance to say that we want to eliminate all plastic, but we are trying to reuse items. Those kinds of plastic containers are actually pretty useful for storing away food that we do not eat for dinner that night and putting it in the refrigerator. I think about that struggle for balance a lot. I hope that you folks have that same consideration, too. I have been hearing a lot about soil contamination, regenerative soil, et cetera. I truly hope that this does not turn in anti-genetically modified organisms (GMO), non-GMO versus GMO type of issue. That issue came up a few years ago and pretty much tore our community apart. I would hate to see us go back to that kind of division on the island. I would love to see us really looking at being inclusive and finding a balance. I think it takes all types of agriculture to make agriculture work. Everyone is struggling. I am hopeful that we are being inclusive on this. Please take that kind of comments into consideration.

Mr. Price: That is a good point. I would say that in the effort of inclusivity, part of the reason why those kinds of issues flare up in our community is because of the lack of inclusivity. This effort really represents voices and leaders in our community who have been marginalized. They do not have access to spaces like this to propose ideas and they do not get traction when they propose ideas. There has been a lack of balance. I think that is part of why this has gained so much traction and so quickly. Three thousand (3,000) signatures to our Declaration and action agenda. Two hundred (200) people providing meaningful and thoughtful time to provide input on how to revise some of these documents. One hundred eighty-one (181) proposals from a broad cross-section of our community saying, "These are our ideas and please take them somewhere." Part of the solution to what you just brought up, Council Chair, is making sure that while certain projects or industries get the support or access, we also look to the folks who for decades now have been saying, "Let us get back to the basics. That is all we would like to do is get back to the basics. We want to farm *kalo* and *'ulu*. We want to be fishpond practitioners and really have been laughed away because it does not make economic sense." That is just not accurate. That is really the root of this effort. It is elevating those voices and that community, which is actually large and significant. These are folks that are saying that we should look at things a little differently. That is the balance. We do not have to say it is one way or the other right now. How do we incorporate these other concepts and ideas, as well. *Mahalo* for bringing that up.

Council Chair Kaneshiro: I hope it does not get to that point of one or the other. I hope it is a point of balance. When we use the term regenerative agriculture, I am not sure what constitutes that in terms of the type of agriculture that is regenerative. Do you have any comments on regenerative agriculture?

Mr. Lee: Regenerative agriculture is one step above organic. It is the new gold standard. I work in impact investing and "regenerative" is the new target for impact investing. It is about taking not just around agriculture productivity, but also balancing the health and well-being of the agriculture community. Those are the birds, the plants, the soil, the farmworkers, and the surrounding community...all of that is taken into consideration as the metrics for the success of the agriculture, not just the productivity and the volume of how much it sells for and how much is produced. It is a more holistic approach that incorporates more stakeholders. It is a higher bar to meet. When we think about where our climate is headed and what kind of damage we have done from manmade interventions, this is the recalibration for agriculture between society and planet.

Council Chair Kaneshiro: There are other things that go on around the island as far as renewable energy. We have had a lot of talk about hydroelectric that produces clean, renewable energy versus how much water should go back in the stream. All of those issues, I do not believe it is just one way or the other; either the hydroelectric project takes all the water, or the stream takes all the water. I do think there is a balance. I think the fight is between the balance versus all the water going back in the stream. It is conflicting. We want clean, renewable energy, and we do not want to be bringing in diesel and gasoline to fuel the island, but people are still fighting this hydroelectric project. I would really like to see your team...what is exciting about this group is when we get an issue like Bill No. 2491 or an issue where

people are fighting about projects like this hydroelectric project, I would love to see you being the in-between or mediators so that the tension does not get so high, like into a mountain. Your team can be the inbetween to not let that tension get all the way up there. You could say, "Let us calm down, look at what we are trying to do, and be inclusive to find balance to how this goes," so that the issue does not skyrocket into such a divisive issue which we have seen happen in the past. That is why I am happy to see a Resolution like this where your team is trying to work things out so that a curve does not become a mountain. It can become a smaller curve. That is what I am thinking the intent of this way.

Mr. Lee: I do not think that we are necessarily going to be the middle-people solving the problems. It is a mindset of leadership that we need to uplift in all our communities across all of our different silos. We need to break out of those silos. When we uplift relationships and values, and have conversations that are centered on community and having the true relationship and engagement, the hope is that you do not get to these eleventh-hour, protracted high-stakes battles that are very public, contentious, and break our communities apart. Along the way, we have been dealing with these issues as they come up. We have been engaging each other. We know that there are going to be tradeoffs. We have to get away from this zero-sum game of how we make decisions. There are going to be tradeoffs. We always hear about "Not In My Back Yard (NIMBY)," and there are always going to be tradeoffs. If you do not have relationships, do not have trust, and you do not have people truly engaged in the process, you are never going to be able to make those tradeoffs and compromises. I want to focus us back on that high-level of that mindset and approach that relationships, trust, communication, and engagement early on and being proactive about that early on so that we do not have to be reactive on the backend at the eleventh hour.

Council Chair Kaneshiro: Thank you.

Mr. Price: A lot of the water issues we see are rooted in farmers who have not gotten access to the water that they need. I do not know about Kaua'i specifically, but on Maui, you have these big battles over water. It stems from lack of access from the people who want to farm. That is part of the relationship. Had those needs been addressed over the decades that they have been neglected, maybe you would not have this type of tension that pops up at the eleventh-hour like Keoni mentioned. *Mahalo* to Keoni. That is very accurate. That is the root of this. It is all about relationships and the engagement. *Mahalo*.

Council Chair Kaneshiro: On Kaua'i, it is different than on Maui. We have had meetings where it was asked to the public about who was not getting water that needs water. For the most part on Kaua'i, all of the people who need water for agriculture, it is there if the infrastructure is there and the water is available. Maui is a completely different animal on that issue. I just want to make sure that it does not get to a point of how our Bill No. 2491 issue got. A line was drawn in the sand and you were either for it or against it. It really creates this upheaval in the community that is hard to recover from. We are still feeling the effects of some of that on-island. For a small island like ours, it is hard. You see friends and families disagreeing with each other and taking hard stances on it. I am hopeful that this will

kind of help not let a situation like that escalate to that point. Are there any other questions from the members?

The meeting was called back to order and proceeded as follows:

Council Chair Kaneshiro: Is there any final discussion from the Members? Councilmember Chock.

Councilmember Chock: Thank you. This is a really engaging discussion today. I appreciate everyone's input and discussion. It went deep into the heart of what we are all faced with, every single person on the island, and who we aspire to be. I appreciate the support from the Councilmembers to consider this Resolution. I certainly think that it is within all of us to help to find that balance so that we can all navigate towards each other rather than to divide us around key points and value systems that we all agree on. I appreciate that alignment that we are seeking. I really want to thank the Office of Economic Development for reaching out and finding those connecting points, because I think you have done a good job at initiating that. The last thing I will say is that I think engaging the minority voices that are coming through...what really impressed me in attending some of the workshops was the tool sets that they used in order to engage that conversation, and I would like to see that integrated into our processes, so that we get the best outcomes well ahead of time.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: This is such an important concept to me, so I am very thankful for this. I will say relative to Bill No. 2491, and I was one (1) of the key people in that, the big lesson I got out of that is how important it is to solve problems without anyone being wrong. It was divisive, there were benefits on both sides, but there was a lot of injury, and I would never want to revisit that.

Based on experience, I think a good place to start is that all cultures on Kaua'i have living *kūpuna* and people still alive with strong experience and neighborhood food production. I am someone who has emulated that. I am a busy person who is not physically strong, and I see the possibilities of it coming together. Nature is the true example of regenerative land management. With the *ahupua'a* land management strategies of our ancestors in Hawai'i, human strengthen the vitality of nature. I feel that is what the Hawaiian culture has to offer to the world. They did not degrade nature, it was stronger because of their participation, and how they work with nature. The best practices I have learned from all of the perpetual studying I have done...*haumana*, and I do not claim to be a *kumu* on anything. Social enterprise is an economic way where you can do things at the larger level. You can create building material out of hemp or bamboo. It is a good way to house people who have been marginalized in an empowering or self-directive way rather than where they feel that they are a burden, or they are not living on their own terms being managed uncomfortably.

I am part of an agricultural community and what we have is a shared economy, which is a way to make things work amongst groups that do not have financial

substance. Regeneration of botanical gardens is something that I have been involved with for twelve (12) years. We are willing and wanting to share the island adaptive seeds and plant starters. We have a food forest designed for this—to give and share plants being that the economy is challenging. I am part of the Agriculture KERST. Within that team, there is not an intention to marginalize or alienate people who use modern agricultural practices. We are exploring options in how we can make it work. You are not able to poison regenerative soil because it will not work. In areas that are regenerative agriculture is not going to be poisoned because that is the antithesis of regenerative work.

I look forward to this, I am grateful that this is coming forward, and I am happy to help as we move forward. Thank you.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: Thank you, Council Chair Kaneshiro. I would like to thank Councilmember Chock and Councilmember Kualii for introducing the Resolution and for sparking this onto the Council...this was a really interesting dialogue. Thank you to Mr. Lee and Mr. Price for sharing their *mana'o* on this. For me, today's discussion helped ground me as we go into the bigger conversations with the Housing Ordinance and the West Kaua'i Community Plan regarding the importance of not only listening to the community, but to empower them through the decision-making process. For me, it is a timely conversation that happened today. We often talk about different elements of this in isolated ways. For example, spending money locally, supporting local agriculture, or supporting manufacturing. As I briefly browsed the website on 'Aina Aloha Economic Futures, it seems that the power of this is to bring everything together. This is part of the same dialogue with a clear direction. I also appreciate that this is not just regenerative agriculture. This is also manufacturing which happens to also be my passion. Circular economy manufacturing has been big and growing for a long time. For me, the "bible" I use is a book called the "Mid-Course Correction" by Ray Anderson who owned one of the largest carpet manufacturing companies in the world. Their business model was selling carpet to businesses and that carpet ends up going into the trash. The owner had an epiphany realizing how much he was sending to the landfill. He created a system instead of selling the businesses the carpet, he would lease the carpet. They would take the carpet back if they determined they needed new carpet, and they had a zero-waste system. It turned into new recycled carpet, goes back to the business...which means they are leasing the carpet, and the carpet company became profitable because of this system. That is a clear example of decoupling from environmental degradation hence, a model for all manufactures who are trying to follow ways on how to reuse those inputs.

In my own business, we make plastic face shields. We are struggling with ways to extract the plastic and sell it as another product. There are many things in here and I really appreciate this conversation. This is more than just a "feel good conversation." There is a lot that is applicable to how we do business as County. Thank you everyone.

Council Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: Councilmember Evslin, when you mentioned “feel good conversation,” I have to admit that this was first presented before me and when I saw the E-mail, I knew that it was right to support this personally. I was not sure by asking for a Resolution it would only end up being a “feel good conversation.” I am really glad I did this and that Councilmember Chock was willing to co-introduce the Resolution with me. The discussion today was incredible, valuable, and the people listening can connect everything together. Council Chair Kaneshiro had a lot of good questions, basic questions that a lot of people including myself are trying to learn about. I appreciate Nalani, Diana, Mr. Price, and Mr. Lee for being on the call to share their *mana’o*. Especially to Mr. Price and Mr. Lee as being two (2) out of the fourteen (14) people who originally worked on this. The most valuable lesson I got out of this is the point to ensure community engagement in a true and accountable fashion focusing the base around unifying values. I believe if we do this, we will never get to the place where we are creating division, bad times, and *pilikia* for our people. *Mahalo nui loa* to everyone for all their hard work. There is more work to be done, to continue, and for this to grow. *Mahalo*.

Council Chair Kaneshiro:

Councilmember Kagawa.

Councilmember Kagawa: I will support this, and I have no problems with the Resolution. When I read through this Resolution, it made me think and ask myself what prevented us from doing this? I would think that this was a slam-dunk that we would be supportive of efforts in this matter. For me, it is easy to support. I would like to add that when you mandate businesses to go in a certain direction, it does not work as well if you are comparing it to people who are doing it from the beginning. Other businesses see what that business is doing and buys-in by watching and learning. This is always the best way to do things. If you are comparing this to teaching students, you want them to have success not tell them that you are going to be successful if you do it. What would be a better idea than having a Resolution is to highlight the important values and let other businesses learn from that to hopefully buy-in on their own. To me, that is the ultimate success. With COVID-19, there are a lot of groups the County already supports like Mālama Kaua’i and what they do for the community by giving fresh fruits and vegetables to the families. After we recover from COVID-19, we are unsure how Kaua’i is going to be. To me, this shows me that we can take care of each other and our community. We need to build upon the products that we find valuable during these hardships. COVID-19 has taught us that we need to diversify away from tourism in order to be stronger. Thank you.

Council Chair Kaneshiro:

Councilmember Kualii.

Councilmember Kualii: Being that Councilmember Kagawa mentioned Mālama Kaua’i, I would like to mention ‘Āina Ho’okupu o Kīlauea. Former Mayor Bryan J. Baptiste, followed by former Mayor Bernard P. Carvalho, Jr., put in the time, effort, and County resources into agricultural parks on the islands. This began with the Kīlauea Agriculture Park which turned into ‘Āina Ho’okupu o Kīlauea. They are doing great work with the food distribution across the island.

Council Chair Kaneshiro: Is there anyone else? For me, I will be supporting this Resolution. Every day as a legislator, we battle the sense of balance—how do we balance the needs? I say it all the time that no matter what decision we make, there are going to be people who agree and some who disagree. It is an ongoing issue that we continuously face on where is the balance, what do we think is right or not right based on our own values and principles. For me, I really enjoy the conversation about being inclusive, balance, and relationships. The relationship factor is the most important. During a Leadership Kaua‘i seminar, it was during the time of Bill No. 2491, and someone asked the speaker, “How do you mend the community with so much divisiveness?” His answer was based on relationships. He said that you folks should start a bowling league to bring everyone together. That struck me as being correct and true. If you have a personal relationship with someone, you are not going to badmouth them out in the public. Getting to know more people, bringing everyone in, and being inclusive, is exactly what the speaker was getting at. If you have a one-on-one relationship with someone, your operation will work smoother especially if there is something that you do not agree on. It would be better than two (2) people who do not know each other, there are no ties. Building a relationship is key in helping everyone move forward and in the right direction.

In general, it is great timing. Now it the time to rethink how tourism is going be impacted and how it is going to be for Hawai‘i’s future. We get a reset button for that venue. How do we want to see tourism grow and how to we see tourism as part of our economy moving forward? I am hoping that this would be that mechanism to prevent difficult conflicts on the island or within the State from becoming a mountain and being more of a gradual hill where we can come together and say, “Hey, we see the tension that is growing on this, these are the principles that we want to employ.” This is the balance, inclusiveness, and relationships we want to move this issue forward without having it become a mountain where no one will listen. I am hopeful in that aspect of this. With that, is there any further discussion from the members? If not, roll call vote.

The motion for adoption of Resolution No. 2020-43 was then put, and carried by the following vote:

FOR ADOPTION:	Chock, Cowden, Evslin, Kagawa, Kuali‘i, Kaneshiro	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun	TOTAL – 1*,
RECUSED & NOT VOTING:	None	TOTAL – 0.

JADE K. FOUNTAIN-TANIGAWA, County Clerk: Six (6) ayes.

Council Chair Kaneshiro: With that, we will take our 10-minute caption break.

There being no objections, the meeting recessed at 10:27 a.m.

The meeting reconvened at 10:43 a.m., and proceeded as follows:

C 2020-238 Communication (09/11/2020) from the County Attorney, requesting Council authorization to expend funds up to \$50,000.00, to retain Special Counsel to aid the County of Kaua'i with general legal matters. The representation will include preparation and filing of a trademark.

Councilmember Kualii moved to approve C 2020-238, seconded by Councilmember Kagawa.

Council Chair Kaneshiro: Are there any questions on this item? We have an Executive Session item on this, but I do not think we really need to go into Executive Session. If there are any questions, we can answer it out here in the open on the floor. If Matthew thinks there is anything we need to discuss in Executive Session, we can go into Executive Session at that time. Based on the item, I think we can get all our questions answered here in open session and then we can receive the Executive Session item for the record. Councilmember Cowden.

Councilmember Cowden: This is for our trademark for the Kaua'i Made program? Is that correct?

There being no objections, the rules were suspended.

MATTHEW M. BRACKEN, County Attorney: That is correct. The Office of Economic Development needs to renew that trademark. The trademark was originally procured with the use of Special Counsel. Trademark law is a specialized area of law and it is not an expertise that my attorneys have. In the past, we have attempted to help them with obtaining a trademark. At one point in time, we had two (2) attorneys assigned to help them. The difficulty is that it requires a certain level of expertise. The time that it requires for an attorney to get up to speed on it is somewhat of a sunk cost in that we will never really have to do this again. It has been hard to get an attorney to dedicate that much time required to gain that expertise to help them with this project.

Councilmember Cowden: It is something more than just a renewal? Is it an entire process?

Mr. Bracken: That is correct. They basically must go through the whole process again. They are also slightly changing the trademark. It is a little more in-depth.

Councilmember Cowden: Thank you.

Council Chair Kaneshiro: Matthew, is that the reason we need to renew it? Is it due to a change in the image?

Mr. Bracken: That is partially why. The image changed, but they also need a renew it—those two (2) things.

Council Chair Kaneshiro: Once we renew it, we will never need to renew it again?

Mr. Bracken: I do not think that is the case. I think they will need to renew it. This was originally applied for back in 2007. I do not know how long trademarks last for, but I think it is around ten (10) years.

Council Chair Kaneshiro: Are there any other questions from the members? In the next ten (10) years, we are going to have to spend this type of money again to renew it?

Mr. Bracken: Yes, probably in the next ten (10) years, correct.

Council Chair Kaneshiro: Hopefully when the attorneys do it this time, we can take the file and track what they did. I would hope the process does not change that much with each renewal and we can copy it.

Mr. Bracken: I would agree. We are entitled to the records of the attorneys after it is complete. We will make sure to keep the file.

Council Chair Kaneshiro: Are there any other questions from the members? If not, I do not think we are going to need to go into Executive Session on this if we are okay with it.

There being no objections, the meeting was called back to order, and proceeded as follows:

Council Chair Kaneshiro: Is there any final discussion from the members on this item?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to approve C 2020-238 was then put, and carried by a vote of 6:0:1*.

Council Chair Kaneshiro: The motion is carried. Clerk, can you please read us into Executive Session?

EXECUTIVE SESSION:

ES-1033 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, on behalf of the County, requests an Executive Session to consider questions and issues pertaining to the Council's powers, duties, privileges, immunities, and/or liabilities as it relates to sewer delinquencies.

Councilmember Chock moved to convene in Executive Session for ES-1033, seconded by Councilmember Kualii.

Council Chair Kaneshiro: Is there any discussion from the members?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to convene in Executive Session for ES-1033 was then put, and carried by a vote of 6:0:1*.

ES-1034 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4, 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session with the Council to provide Council with a briefing on the retention of Special Counsel to aid the County of Kaua'i with general legal matters. This representation will include the preparation and filing of a trademark. 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.

Council Chair Kaneshiro: Again, this is the Executive Session item for the trademark item we just discussed.

Councilmember Chock moved to receive ES-1034 for the record in open session, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Is there any final discussion on this item, Members?

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)

The motion to receive ES-1034 was then put, and carried by a vote of 6:0:1*.

Council Chair Kaneshiro: Before we move on to our Public Hearing, I wanted to address our last remaining Executive Session (ES-1033) item first. It was requested by Councilmember Kagawa, but he said that the issue has been resolved already. Unless anyone wants to go into Executive Session on it, we can still go into Executive Session or we could just receive it for the record right now. This was an item that was requested by Councilmember Kagawa.

Councilmember Chock moved to receive ES-1033 for the record in open session, seconded by Councilmember Kualii.

Council Chair Kaneshiro: Are there any questions from the members?

Councilmember Cowden: I am trying to look at it now.

Council Chair Kaneshiro: It is on the sewer delinquencies.

Councilmember Cowden: Okay. It has been resolved?

Council Chair Kaneshiro: Correct. Councilmember Kagawa said it has been resolved so we do not need to go into Executive Session. Any questions or discussion?

The motion to receive ES-1033 for the record in open session was then put, and carried by a vote of 6:0:1*.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 2:28 p.m.

Respectfully submitted,



JADE K. FOUNTAIN-TANIGAWA
County Clerk

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*Beginning with the March 11, 2020 Council Meeting and until further notice, Councilmember Arthur Brun will not be present due to U.S. v. Arthur Brun et al., Cr. No. 20-00024-DKW (United States District Court), and therefore will be noted as excused (i.e., not present).