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, Līhu‘e, Kaua‘i, on Wednesday, June 2, 2021 at 8:30 a.m., after which the following Members answered the call of the roll:

Honorable Bernard P. Carvalho, Jr.
Honorable Mason K. Chock
Honorable Felicia Cowden
Honorable Bill DeCosta
Honorable Luke A. Evslin
Honorable KipuKai Kuali‘i
Honorable Arryl Kaneshiro

Council Chair Kaneshiro: Good morning. Today’s meeting will be conducted pursuant to Governor Ige’s Supplementary Emergency Proclamations with the most recent relating to the Sunshine Law being his Nineteenth Supplementary Emergency Proclamation dated April 9, 2021. For the record, we have no registered speakers today for any of our agenda items.

APPROVAL OF AGENDA.

Councilmember Kuali‘i moved for approval of the agenda, as circulated, seconded by Councilmember DeCosta.

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

Council Chair Kaneshiro: Are there any questions or is there any discussion from the Members?

The motion for approval of the agenda, as circulated, was then put, and unanimously carried.

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

MINUTES of the following meetings of the Council:

May 14, 2021 Special Council Meeting
May 19, 2021 Council Meeting

Councilmember Kuali‘i moved to approve the Minutes, as circulated, seconded by Councilmember Carvalho.
Council Chair Kaneshiro: Are there any questions or is there any discussion on these items 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 unanimously carried.

Council Chair Kaneshiro: The motion is carried.

CONSENT CALENDAR:

C 2021-114 Communication (05/07/2021) from the Mayor, submitting his Supplemental Budget Communication for Fiscal Year 2021-2022 and Proposed Amendments to the Budget Bills, pursuant to Section 19.02A of the Kaua‘i County Charter

C 2021-122 Communication (05/03/2021) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Tess Kimie Shimabukuro to the Liquor Control Commission – Term ending 12/31/2023.

C 2021-123 Communication (05/14/2021) from the Hawai‘i State Association of Counties (HSAC) President, transmitting for Council consideration, HSAC nomination of Councilmember KipuKai Kuali‘i, County of Kaua‘i, and Councilmember Tommy Waters, City and County of Honolulu, to serve on the Board of Directors for the National Association of Counties (NACo), and nomination of Councilmember Kelly T. King, County of Maui, and Councilmember Herbert “Tim” Richards, III, County of Hawai‘i, to serve on the Board of Directors for the Western Interstate Region (WIR), pursuant to Section 5A and Section 5C of the Bylaws of the Hawai‘i State Association of Counties, Inc.


C 2021-125 Communication (05/20/2021) from the Hawai‘i State Association of Counties (HSAC) President, transmitting for Council consideration, HSAC’s Fiscal Year 2022 Proposed Operating Budget, pursuant to Section 21 of the Bylaws of the Hawai‘i State Association of Counties, Inc.

Councilmember Kuali‘i moved to receive C 2021-114, C 2021-122, C 2021-123, C 2021-124, and C 2021-125 for the record, seconded by Councilmember DeCosta.
Council Chair Kaneshiro: Are there any questions or is there any discussion from the Members?

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

The motion to receive C 2021-114, C 2021-122, C 2021-123, C 2021-124, and C 2021-125 for the record was then put, and unanimously carried.

COMMUNICATIONS:

C 2021-126 Communication (05/07/2021) from the Deputy Planning Director, requesting Council approval to receive and expend Federal/State funds for the Hawai‘i Coastal Zone Management (CZM) Program in an amount up to $351,692.00, and to indemnify the State of Hawai‘i in accordance with the State of Hawai‘i General Conditions (AG-008 103D) for administering the program. This pass-through grant funding will be utilized to continue the implementation of the CZM Program on Kaua‘i commencing July 1, 2021 to June 30, 2022 and be expended on salaries/wages, travel, equipment, and supplies for the CZM Program, specifically for the implementation and enforcement of the Special Management Area Rules and Regulations of the County of Kaua‘i and Shoreline Setback provisions of Chapter 8 of the Kaua‘i County Code 1987, as amended.

Councilmember Kuali‘i moved to approve C 2021-126, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: We received no written testimony on this item. Do we have any questions 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 2021-126 was then put, and unanimously carried.

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

C 2021-127 Communication (05/11/2021) from the Emergency Management Administrator, requesting Council approval to receive and expend State funds, in the amount of $50,000.00, for the Fiscal Year 2020, from the United States Department of Homeland Security, via the State of Hawai‘i Department of Defense – Hawai‘i Emergency Management Agency, to be used to support ongoing media campaigns to provide information on COVID-19 topics such as testing, vaccines, mental health services, et cetera.

Councilmember Kuali‘i moved to approve C 2021-127, seconded by Councilmember Carvalho.
Council Chair Kaneshiro: Are there any questions from the Members on this item? Is there any final discussion from the Members? Councilmember Cowden.

Councilmember Cowden: I want to just say, right now we are going through a series of communications on these different grants that the different Departments have received, so I just do not want it to pass by without acknowledging the important work of our Department Heads and our people within those Departments for getting both reoccurring grants and these valuable grants and funding from the State and Federal government to help the County function. While I do not have questions, because I have looked at the information, it is valued and important.

Council Chair Kaneshiro: Is there anyone else?

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

The motion to approve C 2021-127 was then put, and unanimously carried.

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

C 2021-128 Communication (05/17/2021) from the Acting County Engineer, requesting Council approval to use $35,000.00 from the Department of Public Works, Wastewater Division’s Repair and Maintenance (R&M) account for the unbudgeted equipment purchase of a replacement pump for the Fire Station Sewage Pump Station (SPS) in Hanapēpē, to replace aging equipment that is essential to restore the designed redundancy for the SPS.

Councilmember Kuali‘i moved to approve C 2021-128, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: Do we have any questions from the Members? I know the Department reached out to all of the Members. I had the chance to speak with them yesterday. They informed us about these next few items coming up. Is there any final discussion from the Members? Councilmember Cowden, then Councilmember DeCosta.

Councilmember Cowden: I just want to acknowledge the hard work and the important work for making sure our wastewater facilities are functioning. Many of these elements are old—thirty (30) years old for one (1) of these broken pumps. We have a competent Wastewater Division that has been able to “ramp up” what we need and I fully support this request, which is what I would consider routine maintenance and proactive with the next item. They did talk to all of us, so I have paid attention.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: Thank you for that, Councilmember Cowden. Troy and Jason, excellent work. I was very impressed when you folks decided to refurbish that thirty-year-old diesel pump, which is the only one we have that can put
the waste from Hanapepe up to 'Ele'ele, so thank you for being proactive and like Councilmember Cowden said, we are very impressed you are keeping our machinery running like that, so thank you.

Council Chair Kaneshiro: Is there anyone else?

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

The motion to approve C 2021-128 was then put, and unanimously carried.

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

C 2021-129 Communication (05/17/2021) from the Acting County Engineer, requesting Council approval to use $120,000.00 from the Department of Public Works, Wastewater Division's Repair and Maintenance (R&M) account for the unbudgeted equipment purchase of a trailer-mounted bypass pump, to support the emergency needs for the Kapaia Sewage Pump Station (SPS), Marriott SPS, and the Fire Station SPS in Hanapepe.

Councilmember Kuali'i moved to approve C 2021-129, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: Do we have any questions from the Members? 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 2021-129 was then put, and unanimously carried.

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

C 2021-130 Communication (05/18/2021) from the Executive on Aging, requesting Council approval to receive and expend a total of $644,815.00 in State General Funds for Fiscal Year 2021, and to indemnify the State Executive Office on Aging to be used for the provision of Kupuna Care, which includes case management, adult day care, assisted transportation, attendant care, homemaker, kupuna care transportation, personal care, and home-delivered meals.

Councilmember Kuali'i moved to approve C 2021-130, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Do we have any questions from the Members? Is there any final discussion from the Members? Councilmember Cowden.

Councilmember Cowden: Again, I would like to express the gratitude for all the people who do work for Kupuna Care. I am happy this is continuing this year when we are having restricted State funds and restricted Federal funds in some areas,
but particularly State funds. I am thankful to our Legislature for keeping this flowing to us. This is an area that I was worried about.

Council Chair Kaneshiro: Is there anyone else?

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

The motion to approve C 2021-130 was then put, and unanimously carried.

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

C 2021-131 Communication (05/18/2021) from the Prosecuting Attorney, requesting Council approval to receive and expend Federal Funds in the amount of $73,880.00, and to indemnify the State of Hawai‘i, Department of the Attorney General, to be used for salaries/wages and supplies for the Domestic Violence Prosecution Unit. This tentative recurring grant and funds will be utilized for the period commencing June 16, 2021 to May 31, 2022.

Councilmember Kuali‘i moved to approve C 2021-131, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Do we have any questions from the Members? 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 2021-131 was then put, and unanimously carried.

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

C 2021-132 Communication (05/19/2021) from the Executive on Transportation, requesting Council approval of the unbudgeted equipment purchase of twelve (12) new handheld radios and charging stations, which will replace remaining obsolete models, at a total cost of $53,693.13, in preparation for 2021 Hurricane Season.

Councilmember Kuali‘i moved to approve C 2021-132, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: Do we have any questions from the Members? 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 2021-132 was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried. Next item.
C 2021-133 Communication (05/19/2021) from the Chief of Police and Mark Begley, Assistant Chief of Police, Patrol Services Bureau, requesting Council approval to receive and expend recurring State funds with the initial contracted amount of $50,326.42, which funds three (3) Emergency Services Dispatcher positions for the first quarter, with a total anticipated amount for the Fiscal Year of $201,305.68, and approval to indemnify the State of Hawai‘i, Department of Health, Emergency Medical Services & Injury Prevention System Branch, for the contracted period of July 1, 2021 to June 30, 2022.

Councilmember Kuali‘i moved to approve C 2021-133, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Do we have any questions from the Members? 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 2021-133 was then put, and unanimously carried.

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

C 2021-134 Communication (05/20/2021) from the Acting County Engineer, transmitting for Council consideration, A Bill For An Ordinance Amending Chapter 16, Kaua‘i County Code 1987, As Amended, Relating To Traffic Code, to broaden the types of traffic calming measures available to be employed across the spectrum of road types islandwide.

Councilmember Kuali‘i moved to approve C 2021-134, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: Do we have any questions from the Members? This will be coming up later in the agenda as Proposed Draft Bill (No. 2824). 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 receive C 2021-134 for the record was then put, and unanimously carried.

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

C 2021-135 Communication (05/20/2021) from the Director of Finance, requesting Council approval of the “Payment” clause contained in Section 5 of the Datawatch Software License Agreement for the purchase of two (2) software licenses with an estimated cost of $4,000.00, which allows for data extraction from the County’s main financial system to be exported into more recognizable and workable formats such as Excel, Comma-Separated Values (CSV) files, Access Database, et cetera, as the
current data extraction software is expired and no longer supported by current platforms.

Councilmember Kuali'i moved to approve C 2021-135, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Do we have any questions from the Members? Is there any final discussion from the Members? Councilmember Cowden.

Councilmember Cowden: I want to thank the Finance Department and the Information Technology (IT) Division for the important work in how we are moving forward to make our systems be up-to-date. We are doing a good job. Thank you.

Council Chair Kaneshiro: Is there anyone else?

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

The motion to approve C 2021-135 was then put, and unanimously carried.

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

CLAIMS:

C 2021-136 Communication (05/07/2021) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by Helena Rachner, for damage to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua‘i.

C 2021-137 Communication (05/10/2021) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by Kaua‘i Air Conditioning & Refrigeration Inc., for damage to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua‘i.

C 2021-138 Communication (05/20/2021) from the County Clerk, transmitting a claim filed against the County of Kaua‘i by Hawaiian Telcom, Inc., for property damage, pursuant to Section 23.06, Charter of the County of Kaua‘i.

Councilmember Kuali‘i moved to refer C 2021-136, C 2021-137, and C 2021-138 to the Office of the County Attorney for disposition and/or report back to the Council, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: Are there any questions from the Members? Is there any discussion?

(No written testimony was received and no registered speakers requested to testify regarding these agenda items.)
The motion to refer C 2021-136, C 2021-137, and C 2021-138 to the Office of the County Attorney for disposition and/or report back to the Council was then put, and unanimously carried.

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

COMMITTEE REPORTS:

COMMITTEE OF THE WHOLE:

A report (No. CR-COW 2021-04) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

"Bill No. 2823 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAI'I, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (Transient Accommodations Tax Revenue Reduction (Second Half of the Year) – $7,467,500.00),"

A report (No. CR-COW 2021-05) submitted by the Committee of the Whole, recommending that the following be Received for the Record:

"COW 2021-02 – Communication (05/14/2021) from Committee Chair Kaneshiro, transmitting the proposed increases to, deductions from, and other proposed amendments (plus/minus sheets) to the Mayor’s Fiscal Year 2021-2022 Annual Operating and Capital Improvement Projects Budgets,”

A report (No. CR-COW 2021-06) submitted by the Committee of the Whole, recommending that the following be Approved:

"Resolution No. 2021-14 – RESOLUTION ESTABLISHING THE REAL PROPERTY TAX RATES FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022 FOR THE COUNTY OF KAUA'I,”

A report (No. CR-COW 2021-07) submitted by the Committee of the Whole, recommending that the following be Approved as Amended on second and final reading:

"Bill No. 2818 – A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022 (Fiscal Year 2021-2022 Operating Budget),"
A report (No. CR-COW 2021-08) submitted by the Committee of the Whole, recommending that the following be Approved as Amended on second and final reading:

"Bill No. 2819 – A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022 (Fiscal Year 2021-2022 CIP Budget),"

Councilmember Kuali'i moved for approval of the reports, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Are there any questions or discussion from the Members?

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

The motion for approval of the reports was then put, and unanimously carried.

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

RESOLUTIONS:

Resolution No. 2021-14 – RESOLUTION ESTABLISHING THE REAL PROPERTY TAX RATES FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022 FOR THE COUNTY OF KAUAI

Councilmember Kuali'i moved for adoption of Resolution No. 2021-14, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Again, we did not change any of the tax rates this year. The tax rates have remained the same. Are there any questions from the Members? Is there any final discussion from the Members? We will keep the discussion to the tax rates and then when we get to the Operating Budget, we will allow the Members to speak their time on the Operating Budget. Councilmember Cowden.

Councilmember Cowden: I appreciated that people have, for the most part, managed to pay their taxes, even those who are deeply overburdened. I just want to recognize that the way it was structured, we were not able to give people a reprieve, we gave them a ninety-day extension in this very difficult year. I am hoping to be able to look in the future for how we might be able to, if we needed, lock back by six (6) months. I think that we are not through all of this challenge yet for many, but I am glad that we did not raise the rates and I am grateful for all the people who found a way to pay their taxes. That is one of the reasons why our budget is working.
Council Chair Kaneshiro: Is there any other discussion from the Members? If not, roll call vote.

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

The motion for adoption of Resolution No. 2021-14 was then put, and carried by the following vote:

FOR ADOPTION: Carvalho, Chock, Cowden, DeCosta, Evans, Kuali‘i, Kaneshiro TOTAL - 7,
AGAINST ADOPTION: None TOTAL - 0,
EXCUSED & NOT VOTING: None TOTAL - 0,
RECUSED & NOT VOTING: None TOTAL - 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

Resolution No. 2021-22 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE LIQUOR CONTROL COMMISSION (Tess Kimie Shimabukuro)

Councilmember Kuali‘i moved for adoption of Resolution No. 2021-22, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions or discussion from the Members? If not, roll call vote.

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

The motion for adoption of Resolution No. 2021-22 was then put, and carried by the following vote:

FOR ADOPTION: Carvalho, Chock, Cowden, DeCosta, Evans, Kuali‘i, Kaneshiro TOTAL - 7,
AGAINST ADOPTION: None TOTAL - 0,
EXCUSED & NOT VOTING: None TOTAL - 0,
RECUSED & NOT VOTING: None TOTAL - 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

Resolution No. 2021-23 – RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES NOMINEES TO THE NATIONAL ASSOCIATION OF COUNTIES BOARD OF DIRECTORS AND WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR FISCAL YEAR 2021-2022

Councilmember Kuali‘i moved for adoption of Resolution No. 2021-23, seconded by Councilmember Cowden.
Council Chair Kaneshiro: Are there any questions from the Members?

Councilmember Cowden: First of all, I want to thank both Vice Chair Chock and Councilmember Kuali‘i for the work that you folks have been doing very actively and with conscious effort. I appreciate you, Councilmember Kuali‘i, for all the focus that you have put on the Federal funding that will be coming out. You will be going to the Washington D.C. event in July; can you share what your priorities are and what it means to have this role?

Councilmember Kuali‘i: As always, whenever I have an opportunity to go to a National Association of Counties (NACo) convention, my priority is to get as much information, resources, and build relationships. I already saw the agenda and there will be a lot of focus on the Federal funding. They are going to break it down. There are so many different sessions that will deal with the American Rescue Plan Act and how you can maximize bringing resources back to your county for all the different needs. My hope is to also learn about the ongoing bill in congress with the infrastructure bill—American Jobs Plan and American Families Plan. I know NACo and counties across the nation are pushing for that to pass as well, because that will bring additional important resources for rebuilding our economy. I will definitely bring a lot of information back and anyone who cannot go, please attend virtually, because you have that option as well.

Councilmember Cowden: Yes, I will be attending virtually. Vice Chair Chock, I know you do a lot of work with the Hawai‘i State Association of Counties (HSAC) and you are going to give us more detail, but will you be in Washington D.C.?

Councilmember Chock: It looks like I will be able to attend.

Councilmember Cowden: Okay.

Councilmember Chock: I am squaring out the details right now.

Councilmember Cowden: The role for HSAC at Washington D.C. will probably be doing leadership elements there with any Hawai‘i personnel who attend.

Councilmember Chock: Are you on (inaudible) I sit on the committee for one of the NACo committees, so I will be attending that, as well as some of the general sessions. Typically, we get some of HSAC together; that is a good time to connect and forecast what the future is for HSAC, but I also intend to meet with the for-profit arm of NACo that has programs that we are looking at HSAC to implement. We think that the integration of that could help build our HSAC budget over time. They
have some pretty good programs and we can share more of those details as they get developed.

Councilmember Cowden: Thank you for that work. I will be attending virtually, but I just want to recognize, honor, and also share with the public that there is a lot that happens and is brought back to help our island and to be networking and seeing the opportunities and successes in other counties across the nation. Thank you and others who will be attending.

Council Chair Kaneshiro: Councilmember Kuali‘i.

Councilmember Kuali‘i: I wanted to add the most important responsibility as a National Association of Counties National Board Member, one (1) of two (2) from Hawai‘i; I will be participating in all of our policy meetings, business meetings, and NACo can only do the great work that they do, because all the counties are participating in determining the direction and the strategy, the goals, and things that they work on, especially what they do in Washington D.C. to influence congress to help our counties better—that is a big part. Annually, we start in Washington D.C. with the legislative conference, then we finalize all the policy resolutions, the business, and the election of the national officers in the annual convention, so that will all be happening too.

Council Chair Kaneshiro: Councilmember DeCosta, then Councilmember Evslin.

Councilmember DeCosta: Thank you for that, Councilmember Kuali‘i. Councilmember Carvalho and I are also going to be joining you and Councilmember Chock, so we are very honored under your folks' leadership. Teach us all the mana'o you folks have up there at the NACo convention, we are excited. Councilmember Carvalho knows a lot more than I know. I am a newbie, but I am ready to learn and follow your lead, so thank you for that.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: I second what Councilmember Cowden was saying here and expressing my appreciation to Councilmember Kuali‘i for serving at NACo and representing all of us in that both the work that Vice Chair Chock and Councilmember Kuali‘i do. It is a lot of extra work and meetings. It almost seems that NACo is more important now than ever with so many new funding opportunities coming online and so much influx with potentially new infrastructure packages and you already have a wealth of information on that front in forwarding relevant links and information as it comes online, so I really appreciate the work. I will not be joining you at the conference, but I know you will all learn a lot there.
Council Chair Kaneshiro: Is there any further discussion? If not, roll call vote.

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

The motion for adoption of Resolution No. 2021-23 was then put, and carried by the following vote:

FOR ADOPTION: Carvalho, Chock, Cowden, DeCosta, Evslin, Kuali‘i, Kaneshiro TOTAL – 7,
AGAINT ADOPTION: None TOTAL – 0,
EXCUSED & NOT VOTING: None TOTAL – 0,
RECUSED & NOT VOTING: None TOTAL – 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.


Councilmember Kuali‘i moved for adoption of Resolution No. 2021-24, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Council Vice Chair Chock, do you want to give a brief overview?

Councilmember Chock: Sure, I can give a highlight.

Council Chair Kaneshiro: The budget is different from the past and the budget has been different year after year. Usually, you would like to see a consistent budget, but with COVID-19, we did not have an HSAC event last year, it was virtual, so obviously our numbers are a lot different looking year-to-year. The main reason for some of the fluctuations in the numbers. I know we are prepping to have an actual in-person HSAC event this year—I believe towards the ending of the year. Council Vice Chair Chock.

Councilmember Chock: Thank you, Chair. I will just add a few other highlights to that. I appreciate the overview because it is true, this budget reflects more of what we have seen prior to 2020 and the pandemic. So we are looking at the side-by-side between this current budget and the future with some variances. The other highlight you can see is the membership fee, capacity building 2A, that was under revenue by the City and County of Honolulu that was going towards what we put down into a consulting fund. That is being slated for a couple of reasons: 1) this board has decided that we need to look at more consistency, continuity, and the need for some ongoing administrative support is warranted, so we are running in the midst of looking
at how we might build into that, either from a consulting or employee standpoint. Along with that is the need for us to generate a fundraising plan to support that, so that is some of what HSAC will be focused on. Other than that, as you can see, most of the budget is related to travel, so we will have to see how that develops given the situation. This is the annual conference that is the first indicator of how travel might be in the forthcoming year. Other than that, the HSAC conference is being scheduled for late October 24-27, and will be in Kona, so if you can join that, of course. Hawai‘i County will be putting that together.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I want to first acknowledge Aida Kawamura, who has helped us so much with any of the Hawai‘i State Association of Counties work. Thank you so much. Councilmember Chock, is there any action that you are aware of right now for the HSAC that might be different? I would imagine your focus is on how we are going to be able to pull out of all of this economic downturn, is there anything unique that we are looking at differently this year working together?

Councilmember Chock: We are a board of four (4). We need a unanimous.

Councilmember Cowden: The four (4) counties?

Councilmember Chock: The four (4) counties represent the Executive Committee and therefore, we need to all come into agreement for anything to pass and be worked on collectively. I think the only things that really start to surface to the top are things that we are sharing in terms of a response. Things like the counties share of Federal funding that is coming through, so all the information is coming down through the NACo representatives and NACo meetings and how it is we might be able to leverage that and getting insight there. Then how it is that we respond as a board, more towards our Legislators and Governor, so in our last meeting we asked for feedback from all of you regarding HB 862, which is the Transient Accommodations Tax (TAT) bill that is before the Governor. Those are the kinds of things that I think HSAC would like to be united to at least pose questions that are towards the benefit of our counties that we can agree upon. Also, lobby towards and advocate for the things that we know we all share in common. So those things are in discussion on a monthly basis. Different items surface, but right now those are the things that I think since we are right out of legislative session, we are looking at what has passed and how does that affect the counties.

Councilmember Cowden: Thank you for the work that you do.

Councilmember Chock: Sure, are there any other questions on the budget?
Council Chair Kaneshiro: Is there any final discussion from the Members? Councilmember Carvalho.

Councilmember Carvalho: I just wanted to say, I appreciate Vice Chair Chock and his leadership with HSAC statewide. Any time we can connect on individual islands, but going abroad as well, that is so important for us to stay connected that way. As an alternate, just listening some of the information as it comes across, but very informative, and I think we are on the right track with HSAC and keeping information flowing. I think that is important overall and NACo is another one that bridges are far. I appreciate the opportunity to say a few words on that.

Council Chair Kaneshiro: Council Vice Chair.

Councilmember Chock: Thank you, Chair. Also, Councilmember Carvalho, as the alternate, it is important even as we move into next year and the year beyond, if people get a chance to tune into some of the meetings, it would be good to connect, as you do with NACo, but I think the power of NACo and HSAC is meant to be on the legislative end advocacy standpoint. One of the things that I took away from some of the membership meetings is there are certain organizations that really have a lead into congress—NACo is one of them, one of the top five (5) to seven (7) that get to put different issues on the table. That is what the goal is for HSAC—to be one of those organizations that the legislature pays attention to. We have a distance to go as being a lobbying power and leveraging that power, so that is what part of what the capacity-building interest is. Thank you.

Council Chair Kaneshiro: Is there any further discussion? If not, I just want to say thank you for all your hard work on this. I am hoping that the conference can make more money than ten thousand dollars ($10,000). If you look at the budget, we have a beginning balance of one hundred seventy-three thousand dollars ($173,000) and an ending balance of twenty-one thousand dollars ($21,000). If they are able to make any more money during the conference or save any costs...I know the conference income is a net of what the conference would net and their expenses. I would love to see us continue to keep some type of buffer like this beginning balance in the one hundred seventy-three thousand dollar ($173,000) range. I know Kauaʻi is going to be the next sponsor for HSAC next year. I think the goal is to always make sure that your conference makes money and puts a little more money back into the coffers, because just based off of our membership dues, it does not cover all of our travel expenses to go back and forth to Oʻahu—it covers part of our NACo expenses, so it is really important to throw a successful conference. I will leave it at that. Is there any further discussion from the Members? If not, roll call vote.

(No written testimony was received and no registered speakers requested to testify regarding this agenda item.)
The motion for adoption of Resolution No. 2021-24 was then put, and carried by the following vote:

FOR ADOPTION: Carvalho, Chock, Cowden, DeCosta, Evislin, Kuali’i, Kaneshiro TOTAL - 7,
AGAINST ADOPTION: None TOTAL - 0,
EXCUSED & NOT VOTING: None TOTAL - 0,
RECUSED & NOT VOTING: None TOTAL - 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2824) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 16, KAUA’I COUNTY CODE 1987, AS AMENDED, RELATING TO TRAFFIC CODE

Councilmember Kuali’i moved for passage of Proposed Draft Bill (No. 2824) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for July 7, 2021, and referred to the Public Works & Veterans Services Committee, seconded by Councilmember Cowden.

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

Councilmember Cowden: Do we have Troy or Michael available? I want to thank you both for the time you took with us prior to this meeting. Traffic calming devices are important to our daily lives in neighborhoods and getting along well. I wonder if for the sake of the viewer, listener, and public, you can give a brief overview, because this is something that I think we are going to really look at in Committee. If you can give an explanation of the key points and the reasoning for changing it. It seems like it is taking some power away from the Council. I am hearing that it is power that does not seem like we utilize often, but can you please give us an explanation? Thank you.

There being no objections, the rules were suspended.

TROY K. TANIGAWA, Acting County Engineer: Good morning, Councilmembers. Troy Tanigawa. Can you hear me?

Councilmember Cowden: Yes, we can hear you.

Council Chair Kaneshiro: We hear you.

Mr. Tanigawa: Michael Moule should be calling in. He prepared a brief PowerPoint presentation to outline key points. Michael, are you on?
Apparently, he is having technical difficulties, so I can go ahead and provide a brief overview. This draft bill builds off of a current code for our traffic calming that currently includes only speed bumps. What this bill does is adds, amends, and removes some definitions, consolidating definitions in a single section where it is more accessible in the code. There are housekeeping items in addition to that, such as terms being modified...I am getting a text that Michael Moule is trying to join...once he gets through his technical difficulties...I see him logging in now. Michael, we do not see your video.

MICHAEL MOULE, Chief of Engineering Division: My apologies, I was watching the webcast feed and forgot that I was not on. My name is Michael Moule, Chief Engineer with the County of Kaua‘i, Public Works. I did not manage to get a PowerPoint prepared this morning. I thought it would be later in the agenda, but I can run through the bill as proposed. I will share my screen and run through it that way.

Councilmember Cowden: Probably just emphasize the key points that are the essence of it, the housekeeping ones are not that important.

Mr. Moule: Okay. I will just run through the key points here. Thank you, Councilmember Cowden. Let me just share my screen and we will be good to go.

Councilmember Cowden: This can act like a good reference for communities that may have an opinion.

Council Chair Kaneshiro: If your screen share does not work, then you can just go through it.

Mr. Moule: Yes, I will start it. It seems to be coming up slowly. I will go ahead and start. It seems to be working, but very slowly. The primary purpose of the bill is to modify the existing speed hump ordinance and make it a more comprehensive traffic calming ordinance. There are some clean-up issues with definitions, which I will not go through in detail, but the definition changes are in there to support the change to the traffic calming ordinance and/or to clean-up things like defining County Engineer, for example, for the entire Traffic Code, which it is not currently, even though it is used in multiple cases in the Traffic Code. I should be sharing my screen now. This first part definition, one definition that I will highlight is the definition of...

Council Chair Kaneshiro: We do not see the screen share, Mike.

Mr. Moule: What is that?

Council Chair Kaneshiro: We just see a black screen. Okay, we see it.
Mr. Moule: ...traffic calming measure, which is a physical means to calm traffic. Either vertically like a speed hump, or horizontally like a roundabout to give you two (2) examples. There are other things listed here. Just to contrast that, just official traffic control devices or traffic control devices here means all signs, signals, and markings. The difference being that traffic control devices are things that we supplement the road design with. The physical road design, horizontal geometry unit, factors all of that—we supplement that with signs, markings, and signals to regulate traffic into warned traffic. Whereas, traffic calming measures are physical changes to the road that changes how you physically drive and are self-enforcing physical means of slowing down traffic, and by doing so, improving safety for all people traveling on our street. The rest of it is mostly clean-up. I want to talk briefly about the changes through the County Council functions and actions. One thing that we are doing is removing something in the code that is really not being used by resolution now, but currently stands, which is that the County Council has a lot of thing in the resolution, including determining and designating the types of traffic control devices and the types of signs and markings that are used. That is not really being done or not being done, I should say, by County Council now. The resolution sets the regulations and then we, as the Department of Public Works, based on documents like the manual and traffic control devices, determine which types of signs or markings are appropriate given any current standards and guidelines promulgated by the Federal government. So we are removing that from the code as proposed here, both here removing “A,” then later in item “B,” the deletion of the types of markings and signs to be placed for designation. Council will still have full jurisdiction/authority of creating, redefining, defining, eliminating, or changing all of these items plus three (3) more, (inaudible) location is not currently listed, roundabouts, and as the main topic of this bill, traffic calming measures.

So you still set the regulations and you still determine when there would be a traffic calming measure or roundabout like that, but we would then, in Public Works, determine once those are approved, install those items, how are we going to sign and mark those, are we going to put in warning signs for the speed hump? Yes, we will, because it is something that is recommended or required by the Federal guidelines for that. For example, the same way when you set speed limits by resolution, we install speed limit signs and the design and type as currently regulated and recommended by the Federal government. So that is sort of how these introduction changes to the Administration is done. There is one more that they removed right here, I see that is also not being used, it is more of a geometric design feature, but in talking about how to put pigment markings through intersections that designate how the course of travel by vehicles turning at the intersections. Again, this one is not all that important, because we do not do this very often anyway, it is something you would do when you have multi-lane roadways, which really we do not. Those are all State roads for the most part. There are a few, but not multi-turn lanes. We do not have those except on State roads that are done by the State anyway. We think this is something that is done by Public Works. For example, there was a double left turn lane at an intersection...
would be something that would be included in this item “A” here, right? That is defined by County Council by resolution, but had to turn physically directed intersection, we think is best done by Public Works, as far as how to turn. Then we are just cleaning up some document language that is referencing old documents that no longer apply. Getting into the meat of the bill, this is a traffic calming measure bill. The main thing is to change the name and all the information from “speed humps” to “traffic calming measures.” All the definitions are deleted from this section, because we put anything that we needed under Article 1, which we talked about before with definitions. This segment has minor changes to the powers and duties to the County Engineer, just changing the types of traffic calming measures that can be used and be more inclusive and beyond County streets in general, not just local residential streets.

This part talks about how the public requests traffic calming measures. One major change here is that previously item “B” is required that at least seventy-five percent (75%) of the residents sign a petition before we would do a detailed study or propose a resolution to Council. That has been the threshold that has not been met very often. Besides Weke Road, which is kind of a one-off thing done differently than the normal speed hump ordinance back in the mid-2000s—there is more like four (4) or five (5) speed humps on the entire island right now. So this ordinance is not very effective. If someone were to propose a speed hump, it is effective because not many are being built. By the way, we just had one (1) neighborhood go through the approval process and get all the signatures on Moanalua Road in Kapa'a and will be bringing a resolution to you all for that in the near future under this current ordinance. Generally speaking, there are very few around the island, because this threshold is so high. Now, the only thing that people have to do to make a request is pay a processing fee. We think that some fee is important, we simply made it relatively low, so it is affordable, but high enough that we do not get the “shotgun” approach of someone requesting speed humps on every single traffic zone or every street and thereby overloading our ability to do the studies that are required in this proposed bill.

Speaking of the study, within one hundred twenty (120) days, about four (4) months of requests, we are required to determine whether traffic calming measures are to be included or not and once we have determined that traffic calming measures are warranted, we then are required to notify people within 500-feet of the proposed location of traffic calming measures. We are intended to notify everyone we can get good contact information for from Real Property data, but the threshold for notification proposed here is seventy-five percent (75%) of the land parcels, at least one (1) owner of seventy-five percent (75%) of land parcels, but in reality what we are going to do is just go to Real Property’s data and find all the addresses of all the owners within 500 feet of any parcel and send out that notification. Having a slightly lower than one hundred percent (100%) threshold is important just in case the data is old or something like that, we are still legal with respect to the code. Our goal is to let everyone know in that area. One thing we are deleting is the three (3) criteria section, which identifies which types of speed humps can be applied on. So what we are saying is that all County streets can
be evaluated for traffic calming, but what gets built on each type of street is something that we would do through our study in determining which types of traffic measures are appropriate for which times.

This next one details how that study should be done. This one is being deleted, "speed humps will not be installed on certain types of street" with mirroring what I said above. There is a section here that I will not go through in detail that allows the Department of Public Works on a temporary basis to install traffic calming without County Council approval, so we can do this lighter, quicker, cheaper, or quick-build type project without going through the resolution process, but it also states that we have to let Council know about that installation and if Council does not approve a resolution, we are required to submit it, if we want it to be permanent, then it will be removed within two (2) years of installation.

In the last section that is being changed is the one that shows how we are supposed to submit a request to County Council for a draft resolution for a permanent installation of traffic calming measures and this would be done whether or not we do a temporary installation first. We may or may not do the temporary installation, but if we want to put something in permanent, we would submit a resolution to County Council for your approval.

The very last section is changing it to saying we can adopt rules and regulations. We will adopt internal policies on how we are going to conduct the studies in detail and what kind of traffic calming on what kinds of street, generally.

That is a relatively brief, long summary of the bill.

Councilmember Cowden: Thank you for your work on that. I think that is good, so if any organization or neighborhood is interested they could watch this, as well as find the document on our County Council agenda item and they can look at the details. I appreciate the thought that went into it and to me it looks reasonable.

Council Chair Kaneshiro: Are there any further questions from the Members on this item? Councilmember Evslin.

Councilmember Evslin: Thank you, Michael and Troy, for the presentation. I have a couple of questions. For the definition of...

Council Chair Kaneshiro: Mike, can you stop the screen share, please.

Mr. Moule: Yes.

Council Chair Kaneshiro: Thank you.
Councilmember Evslin: For the definition of highway or street on page 2, where it says it has to be used for more than five (5) years to be considered a highway or street. What happens if a new neighborhood is built and it has not been used for five (5) years? Does that mean you cannot do traffic calming measures until the five-year period has passed? I see that it was in the older definition too and it has to carry over. I am just interested in what the reason for the five (5) years is and if it will have any impacts.

Mr. Moule: The definition of highway and street—they mean the same thing in County and State Vehicle Code and we are adding street. You can see above here the highway or street is an added definition and a deleted definition of highway. We are trying to make them roughly the same as what is in the state code. The main definition is that the entire width of the property lines between private properties for every publicly maintained way or thoroughfare you could travel. This five-year portion is for private ways or thoroughfare, which for more than five (5) years have been continuously used by the general public to be able to travel. So elsewhere in the document, in the previous section there is a definition of “County street,” which means street under the jurisdiction in control of the County of Kaua'i and in the discussion about the traffic calming measures, they can only be applied on a county street. So the private streets were not where we would put traffic calming measures on through this code, because they are private and the code only allows on county streets. So it would not matter whether it is considered a highway or street by this definition for the purpose of traffic calming. That five-year item is taken from the State Vehicle Code and must have some of the legal meaning, we did not change it from what is in the State Vehicle Code, I believe. We had something similar, as you can see in the definition above for more than five (5) years—I do not know where that came from, but it has been in both county code and State Vehicle Code for a long time. I think it had more to do with other sections of the chapter, not the traffic calming. Highways deal with how police can enforce or how people should be able to drive on private streets.

Councilmember Evslin: Okay, so I guess it has not necessarily been a barrier in the past. If you want to do something you need to wait for the five-year clock to run out before you can act on it.

Mr. Moule: I am sorry, you were a little distorted there.

Councilmember Evslin: Just to clarify that the five (5) years is not a barrier in any way. If you want to act, but this is not defined as a street, so you cannot put a traffic calming measure on it because five (5) years has not elapsed yet. Nothing wonky along those lines could occur.

Mr. Moule: Yes. I think there may not be anything to right of private entity from building traffic calming on their own street. In fact, there are
some that have. For example, in Princeville, as well as Pe'e Road in Po'ipū, which is partially privately owned and there has to be humps on the street.

Councilmember Evslin: If a new residential neighborhood is built by a developer, do they often give that roadway network to us after it is built?

Mr. Moule: Yes, in the vast majority of cases, subdivision streets are dedicated over to the County. The exceptions are some neighborhoods like Kukui'ula which only designate some of the streets, which are intended to be future through streets, but the rest of the streets in Kukui'ula are private. There are other examples as well, where the street remains private, but they are still required to be open, because the County typically allows gates or Planning allows gated communities in the Planning Code. But there are private streets open to public travel within subdivisions. Another example is Kiahuna Plantation Drive that goes up past the Po'ipū Shopping Village past Pilimai and the new subdivision—the new controversial development north of there, then all the way to Wainani subdivision—those are all private streets, as are the side roads off of that street. So I would argue that those would be highways or streets of discussion, but they are not allowed the traffic calming under the County process. But they will be able to do that on their own, because they are privately owned.

Councilmember Evslin: I guess, what I am getting at is if a new subdivision is built and they deed those streets over to the County after they are built, then the County could not enact any traffic calming measures for five (5) years or am I misunderstanding that?

Mr. Moule: Once it is deeded to the County, it is a publicly maintained street.

Councilmember Evslin: Okay.

Mr. Moule: The five (5) years is only applicable for the private ways or thoroughfares, not the public ones.

Councilmember Evslin: Oh, I understand. I am so sorry. I was reading that wrong. Okay.

Mr. Moule: Sorry. If that is not clear, we can check with our attorney to make sure. That was the way it was intended. I believe it copies the state code, hopefully, word for word, but we can double check that.

Councilmember Evslin: No, I am sorry. I was reading that with more than five (5) years applying to all of it, not just the private. Okay, makes sense.
Mr. Moule: Okay. Sorry.

Councilmember Evslin: The other question regarding the fifty dollar ($50) fee, in the past or every so often we get people E-mailing with concerns about people speeding in their neighborhood and you folks often do good studies looking at driving speeds and whether traffic calming measures would be necessary. Currently, when someone wants that study done they can just E-mail and request it. Now for that initial look into it, it would cost fifty dollars ($50) or is it only if they are requesting not just a look into to speeding, but requesting the actual speed humps, do they have to pay the fifty dollars ($50)?

Mr. Moule: If they are actually requesting traffic calming, it is just a matter of us doing traffic counts for the appropriate speed limit—there would be no cost to that. But if there was a specific request for traffic calming measures, what our plan would be is to develop an application form. There is an application form that you submit with a fee and you are requesting traffic calming measures on this street, for example, so that is how we would do it, somewhat how we do our other permit applications like driveway permits, road permits, or grading permits. Although, we probably would not call it the “permit,” but it would be a “request” for traffic calming measures on a written form that has a fee associated with it. So an E-mail that says, “We are concerned about speed on my street, can you check to see if the speed limit is okay?” would still be possible and we still check the speed for speed limits. But if you have an E-mail that said, “I am concerned about the speed on my street. I would like to have traffic calming measures.” What we would do is say, “We have this process for that. Here is the form. You apply to request traffic calming measures and pay the fee.” Then we will do a study and consider traffic calming measures. If we determine they are warranted, we will propose a resolution to the County Council.

Councilmember Evslin: Okay. It seems like there might be some overlap in people’s requests. For me, I live in a neighborhood and I am concerned about people’s speeding. I do not have the knowledge to know whether the answer is to lower speed limits or install traffic calming measures. So I guess, if someone E-mails to say, “I am concerned about speeding,” then you folks look into it and come back saying, “Yes, traffic calming measures could be an answer here.” Is it possible that they pay the fifty dollars ($50) after they know that a potential answer is traffic calming measures?

Mr. Moule: I think that is a possible way for that to occur. If we did a speed study on the general speed request, we might say, “Here are the results, this is an opportunity where traffic measures might be appropriate, here is the request form to request those and you can attach your fee payment.”

Councilmember Evslin: Okay, yes, that sounds good and appropriate. My last question, in the past—and I have sent some through—people are concerned of speeding in their neighborhoods, but they were collector roads and sometimes the quick
answer that comes back is, “There are no speed humps that are going to be done here.” Will you folks possibly be relooking at some of these requests in the past or have you done traffic analysis in the past on these collector roads?

Mr. Moule: That is a good question. There is a long list of collector roads with through streets by the old ordinance that would not allow speed humps. This new bill does allow us to...on our own volition, start a study. So there are two (2) ways to initiate this: one is the public requests, the other is by us saying, “Let us do this.” Probably if Council asked us to do it, we could initiate a request that way too, in theory. I think that is something that we might look at doing in areas where we have a lot of requests. I do not think we would do them all at once. Any time that we do it will take up staff time. We have a traffic count machine and the staff to make these evaluations, but we cannot do them all at once. So that is something that we would consider doing going back to our list, but certainly, if we had specific requests from the public, I think those would be higher priority first. But we might have a list that we are going to get to over the course of six (6) months or something that gets pushed back if we get individual requests. But I think it would make sense for us to look at some of the old ones.

Councilmember Evslin: One more question, we received an E-mail from this Disability and Communication Access Board (DCAB) requesting and I forwarded it to Troy did you see it requests that the bill be amended by incorporating the guiding principles for mobility and safety and pedestrians with disabilities.

Mr. Moule: I did not see that. It could have been E-mailed to me and I have not seen it yet, so I will take a look at that though and see what that might mean for us making a change.

Councilmember Evslin: Okay. Yes, if you want to look at that and get back to us later. That is all of my questions. Thank you, Michael and Troy.

Council Chair Kaneshiro: This is just first reading, so if the Committee has any amendments they would like to make, they can do that in the Committee Meeting also, after speaking with Mike and if it is an appropriate amendment. Councilmember DeCosta.

Councilmember DeCosta: It was just a final discussion.

Council Chair Kaneshiro: Are there any further questions from the Members on this item?

Councilmember DeCosta: Actually, I did have a question.

Council Chair Kaneshiro: Councilmember DeCosta.
Councilmember DeCosta: I will make it really short, so we do not have you talk anymore if you do not want to talk anymore. When you say private roads that the developer has and we do not allow any gates, I heard you say in our County Ordinance, can that private developer without the gate being there still deny access if the public wanted to drive by and look at nice houses, maybe take their dog on walk on the sidewalk, is there an ability to do that, because it is a private road without a gate or are we not supposed to do that as a community?

Mr. Moule: Just to clarity, if I hear your question correctly, it was whether private subdivisions can keep other people from driving or walking onto their property. That is not a question that I am able to answer. I think that might be something for Planning or I am not sure who would be able to answer that question, or perhaps our Office of the County Attorney. I am not sure the answer to that question or how to answer that correctly.

Councilmember DeCosta: Maybe you can get that answer for me and get back to me, I would like to find out.

Mr. Moule: Okay, I will try to find out who would know that.

Council Chair Kaneshiro: Are there any further questions from the Members? If not, is there any final discussion from the Members? Councilmember Evslin.

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

Councilmember Evslin: I just want to say, I strongly support basically every aspect of this. I think broadening the measures that we can take for traffic calming is huge. Broadening the applications that we can do that in is big. I also think even though it takes away some of our power here by giving Public Works the flexibility to sort of test and iterate in a quicker process is hugely important and I think that we need to be able to quickly adapt to the way that the public is using places, especially as we try to design more pedestrian-friendly areas. Giving you folks the capacity to quickly innovate is really important. So I really appreciate your folks’ work here in bringing this to us.

Council Chair Kaneshiro: Councilmember Kuali‘i.

Councilmember Kuali‘i: I just want to say thank you so much, Michael, for all of this information and for putting this forward. I think it is really important. I am a strong supporter as well. Several years back, I used to be on the board of Get Fit Kaua‘i. Like this letter from DCAB talks about, pedestrian safety... I think as we move
forward and we want to get people out of their cars and more people walking, we just have to make sure that the environment is conducive for them to do that. So we have all these improvements now to Rice Street and that is beautiful, but we need to make our island safer for people to walk and this is one way to do it. Thank you.

Council Chair Kaneshiro: Councilmember DeCosta, then Councilmember Cowden.

Councilmember DeCosta: Again, thank you for that Councilmember Kuali‘i. More conducive to walking, more conducive to traffic safety and pedestrians. Thank you, Michael for all of that information that you have presented to us this morning. We are lucky to have you in our County—very smart man. I still want to remind our people out there that I am okay, I know Councilmember Evslin mentioned something about relinquishing some of our Council power, and we are fine with that as long as we are headed in the right interest of our community and benefiting the majority of our community—that is how we should all be thinking and moving towards. Please, when you see the traffic light blinking, the pedestrian crosswalk here in Lihu‘e, there are still a lot of people who race right through it. The pedestrian has the right-of-way, you drivers out there. If you see the yellow light flashing, stop for the pedestrian. Thank you.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I just want to emphasize some things that I think are some of the strongest elements for me. I appreciate the temporary installation of traffic calming measures. A lot of times, it is a now-not-later, is what we need. I also appreciate the application process with the fifty dollar ($50) fee in that there is a very definitive request at that point, so it is measurable and it has that modest amount of money that demonstrates intent. I appreciate that and when we talk about traffic calming devices—that it is a range of solutions. There is much in here that I like. I am not even emphasizing that I do not like anything. I still need to learn a little bit more. I like the public notification, which is very clear. Where the Council still has power is in that final portion of it where it becomes complete and firm. So if the community does not like it or we recognize that we thought it would work, but it is not that great, it caused more problems than it has solved...It might be that the Engineering Division can already pull it back, but the Council still has word on it and I recognize that the Engineering Division at the Department of Public Works is going to be more of the expert on it. I am hoping when we do this that there is a good log of what is taken if it passes that we see where we can reflect a year or two (2) from now, because what really makes a difference is if it gets implemented. So we can work more on it in the Committee Meeting, but I appreciate having the opportunity to really discuss it on first reading, so if there are other ideas or important issues that the public, community, and neighborhood associations have a chance to weigh in and I appreciate the
Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: I just wanted to add more on having to be involved in this whole transformation from the walkable, bikeable, and connected community, this whole discussion is based on safety—I totally support this discussion. I think we have a lot more to do, but we have set the foundation. I believe that based upon what has taken place to-date, more resources will come our way to enhance and to better provide for not only the people driving, but our pedestrians who we are encouraging to get out and walk and enjoy the outdoors, as well as people who drive. Just wanted to say that and see a lot of parts of this discussion and gone through that. Very important, but very supportive overall.

Council Chair Kaneshiro: Is there anyone else? If not, roll call vote.

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

The motion to for passage of Proposed Draft Bill (No. 2824) on first reading, that is be ordered to print that a public hearing thereon be scheduled for July 7, 2021 and referred to the Public Works & Veterans Services Committee was then put, and carried by the following vote:

FOR PASSAGE: Carvalho, Chock, Cowden, DeCosta, Evslin, Kuali‘i, Kaneshiro TOTAL - 7,
AGAINST PASSAGE: None TOTAL - 0,
EXCUSED & NOT VOTING: None TOTAL - 0,
RECUSED & NOT VOTING: None TOTAL - 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

BILLS FOR SECOND READING:

Bill No. 2818, Draft 1 – A BILL FOR AN ORDINANCE RELATING TO THE OPERATING BUDGET AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022 (Fiscal Year 2021-2022 Operating Budget)

Councilmember Kuali‘i moved to approve Bill No. 2818, Draft 1 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Right now is the time for us to say any final words we want on the budget, so I do not think there will be any questions on the
COUNCIL MEETING 29 JUNE 2, 2021

budget. Is there any final discussion from the Members regarding the budget? If not, I can go first. For me, I just want to say, we have a balanced budget, we are funding all of our positions. It is a good budget, but ultimately, not collecting TAT is going to have a big impact on our County. Fortunately, we have been putting money into our Reserve. We are covering that amount. The last thing we want to do is balance our budget with our Reserve—that is what we are doing now, but that is what the Reserve is there for. It is to cover items that are unexpected and not receiving TAT in the upcoming budget is unexpected for us and we are going to cover it with our Reserve and we are going to have to figure out what we are going to do to fill that gap moving forward. As far as the budget goes, that is going to be a big red flag for us on what we are going to do to cover that fourteen million dollar ($14,000,000) or fifteen million dollar ($15,000,000) gap that we have. Ultimately, we cannot go on year-after-year with that fourteen million dollar ($14,000,000) or fifteen million dollar ($15,000,000) gap, because we are going to run our Reserve down to zero in no time. Other than borrowing that, I think we did a good budget. It is a tight budget. We have addressed all of the issues that have come up year-after-year. I believe we have put over two million dollars ($2,000,000) into Housing. Year-after-year there is another two million six hundred thousand dollars ($2,600,000) or somewhere in that range. This year again for Housing, we have hit all of the priorities that the public asked us to take care of. I know in the past, maintaining of parks have been a big issue. They have money in the budget for parks this year. I think our parks were really underutilized last year due to COVID-19, so we did not get a lot of complaints about our parks. Moving forward, those are things we are going to have to watch. Again, I want to thank the Administration, Councilmembers, and staff for the hard work that goes into it. We have been working together a lot better, so that is why I think we go through these budget meetings and things are a lot smoother, we are getting the budget the way we want to see it, the Administration is being very receptive to the comments and issues that we have had with the budget and they are addressing it prior to submitting the supplemental, so you do not see a lot of fighting or jockeying for positions on the budget, because we have been working together on priorities we want to see, so I think we did a good job going through the budget. We looked line item after line item, ultimately, the biggest thing we are going to have moving forward is what are we going to do if we do not receive TAT and if we do not receive TAT in the future that would be our biggest issue. Beyond COVID-19, hopefully we do not get any more natural disasters. We have money in our Reserve Fund to cover any natural disaster or maybe another full year of no TAT, but after that we are really going to be struggling, so we need to fill that gap. Those are my comments on the budget. Councilmember Kuali‘i.

Councilmember Kuali‘i: I will ditto everything you said. I will just say that it was very important for me that we did not increase any of the taxes, especially because of our most vulnerable, including our kupuna on fixed income. Along with the Real Property Taxes, I am happy that the Administration and the (inaudible) were able to support postponing the Real Property Tax due dates to give people relief
in that way. Also, that we continue to do our Real Property Tax relief programs, such as
the very low-income tax credit, which is providing two hundred twenty-nine thousand dollars ($229,000) in relief. Then, of course, our Real Property Tax exemptions to homestead, low-income exemption, and age exemption, which I know personally from some family members and friends how that helps and provides relief. I am really happy that we did not get faced with layoffs or furloughs. It was important for us, especially when the economy turns down and it is being tough on our society in general that we start by supporting our own workers and keeping sure they are employed, so we can continue doing our services to the public. Very important, thank you to prior Administrations and prior Councils for ensuring that we budgeted in such a constrained way over the years that we were able to have a Reserve Fund and those “rainy day” funds, so that we could help with emergency response before any Federal funding came to us and deal with our operational shortfalls. As the Housing & Intergovernmental Relations Committee Chair, the two million six hundred thousand dollars ($2,600,000) that we are able to put into our Housing Fund is really important. It is not the original five million dollars ($5,000,000) that we had wanted, but considering we are dealing with COVID-19 that we did not have to go all the way down to zero, that is really important that we are still investing in housing. Lastly, I could not thank everyone more, the Administration, the Mayor and his team, and the work that they do behind the scenes day-to-day to make the budget work, and our Council Services Staff, our budget team, and all of the staff, the work that they do day in and day out to make our job easier. Budget is our biggest and toughest job and we spend a lot of time on it. Think of the time that we spend as Councilmembers, how much time the staff behind us our supporting us that they have put in the long hours, so we can never thank them enough. Of course, my fellow Councilmembers and the public for giving input along the way and their feedback. Thank you, Chair.

Council Chair Kaneshiro: I will add one more to my comments and I will not say anything more. I would be remiss not to say, roads have always been a huge issue and with having the ability to receive General Excise Tax, we have been able to put money towards roads. You have seen that on Kōloa Road, “the tunnel of trees road,” Maluahia Road, without that General Excise Tax money, we would not be able to address any of those roads. As long as I have been on the Council, some of the big issues have been roads, housing, parks, and you can see we have been addressing those items year after year trying to address them, so that is where I am happy with the budget—that we are listening to the community and trying to address those types of issues. Councilmember DeCosta.

Councilmember DeCosta: Thank you for that, Council Chair Kaneshiro. I just want to reiterate what both of you have said and one word come to my mind, it is “cohesive.” I know a lot of people and they ask me—I am the newbie Councilmember, besides our former Mayor—and they ask, how do I like being on the Council? I say, Council Services and the people supporting us, our staff here, the seven (7) Councilmembers that we work with under a cohesive fiscally responsible
attitude we have, it is amazing what we have accomplished. I think and I would like to say this proudly, we are redefining how a Council works together. We do not need the pilikia, we work well, we do it for the best interest of our community, and I am very proud to have Reiko as our Director of Finance, Mike Dahilig did an excellent job this year as far as I know, working with our important questions, our budget questions, making things happen, and a big “shout-out” to all of the people. Our community needs to know that. I believe that I am speaking only for myself that the community is in good hands with the team they have working for them. Thank you.

Council Chair Kaneshiro: Is there any further final discussion? Councilmember Evslin.

Councilmember Evslin: Thank you, Chair. It certainly was a challenging year again for budget, especially with the State “pulling the rug out from under us” at the last minute with the TAT. I appreciate the Administration making the right call here in funding that with the Reserve, rather than trying to make a bunch of last-minute impactful cuts. This necessitates us making potentially hard calls going forward over the next year and figuring out ways that we are going to recover those TAT funds as the Governor decides what direction he is going to go here. I want to just recognize that surge of letters that we had last week regarding the Materials Recovery Facility (MRF). I appreciate also the public’s focus on diversion and recycling efforts. Unfortunately, that all came largely too late, we cannot make any changes to the budget that we did not have a vote on in decision-making three (3) weeks ago. I think though that diversion is critical and we should be focusing time, effort, and resources on it and hopefully over the next year and as we go into our next budget cycle next year that we can start having this conversation a little bit earlier in trying to sort out the future of our landfill here, but I appreciate the public focus on the MRF and diversion. One of the things that I am most excited about in the budget is the renewed focus on wastewater. In a large sense, the battlefront in the housing crisis is shifting somewhat from zoning to infrastructure—water and wastewater in some sense. There is a number of aspects in the budget that deal with wastewater including the Administration adding that position for another Wastewater Engineer—I think is critical. I think that sewer expansion study is critical. The possibility of a cesspool conversion program—these are all big steps forward. Obviously, again, I want to thank all of our Councilmembers here, and the Administration, especially Reiko and Ken for all of their really dedicated work on the budget over the last few months. Then our staff here who does incredible work on the budget and helping support us here. Looking forward to passing this budget. Then hopefully, next year we have a less eventful budget cycle with no last minute surprises.

Council Chair Kaneshiro: Is there anyone else? Councilmember Carvalho.
Councilmember Carvalho: Just following up on all of what was said, but knowing and having the experience on the Administration side and becoming newly-elected Councilmember and having an awesome team here on this side and knowing all the different challenges that we have to go through and still go through, but we came out together, I believe that dialogue and information—great job on the Administration side. The Mayor and the team working close with our staff and all of us preparing the questions regarding the budget. Overall, the Reserve is one of the bigger parts that I feel good about. At least we have that in place and we need to be very creative as we move forward. I just wanted to say that and at the same time, one of the bigger things, overall, was just being able to look at the repair and maintenance program as we move forward of our existing facilities. I think that is going to be the next steps for Department of Parks & Recreation, Department of Transportation, our Chair and all the other ones, but that is going to be another area that is going to be very important—the repair and maintenance of our current facilities. But just the process and having gone through it and all of the working together type of relationships that form, which is great, so I just wanted to mention that overall for me, knowing all the different challenges that we have had from the TAT—that is going to be another area that we need to work closely on. Again, mahalo to the staff here on this side for all the hard work and follow through. But the budget is going to be very challenging. I am just going to say that upfront, but I think with the right people and right understanding, we can make it through one step at a time with the public of course—hearing their concerns or bringing their concerns to the table and addressing them one step at a time. Thank you, Chair.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I am in agreement with my colleagues. I want to thank the Administration and the many departments for their work in trimming the expenses that can be deferred, pursuing these grants annually to share and defray the cost with the Federal government, the State, and maintaining the Reserve. I know for some departments like Parks, it has been particularly difficult and I want to honor them and look at where it might seem, where we look at two hundred forty-three million dollar ($243,000,000) budget, that maybe some places we have missed placed priorities as an island, as a whole, I just have to speak to, for my days on this Memorial Day weekend has been helping to bear the brunt of County policies and I have been at Lydgate Park for those days and we have now shut off the electricity and the water, working hard to push about one hundred (100) people out of the park and I just do not want it to be lost in this discussion where we have things doing a pretty good job for most. I emptied my small car of everything, so I could help move people. I am out there trying to help and I am watching an uncle with no feet very capable of rolling up his tent and everything he is doing and he needs to load his wheelchair. As you leave Lydgate, it is uphill and downhill. There are combat veterans from recent wars who risked their lives for us and I am watching them on Memorial Day not knowing where they are going to go—and as I am looking, there is
a blind person and a deaf person, do I take them to the bike path? I know a lot are moving into Department of Hawaiian Home Lands (DHHL) areas where they have all the cover, because you need the shade, but there is no water and there is no sewage and I worry for fires. This is a national crisis and it belongs to society as a whole, but I think this is something that we have to be working on in this next year, because it is not just the people in encampments, there are many experiencing far less visible circumstances. I have been helping people leave to states that they have almost never even considered. We are going to need to find some flexibility in our zoning solutions, in some way to take care of our people, because as these eviction moratoriums lift, there are going to be more people. As Committee Chair for Public Safety & Human Services this is fully in my kuleana and I am watching carefully and closely. I honor our County Administration for doing such a great job with limited resources for most of us. It is not the County’s job to handle this, but as I watch when we have the twenty-two million dollars ($22,000,000) and the different programs to help people, if no one is willing to rent to this community, no matter how much is in there of that twenty-two million dollars ($22,000,000), if someone is not going to be renting, we have to create some other type of solution. I am in agreement with what everyone said and I had to go swimming to hide my tears when I watched what people are going through. We have to take care of our whole island and we have to find a way. I am thankful for all the success. I thank every department. My heart goes out to parks because it is not their fault that it is our policy that is why I am down there being the face of the County as this difficult weekend has happened. Thank you to the Administration for doing a great job with the budget. I am reaching out to everyone on this island to be willing to allow the County to choose places to move people. Thank you.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: I would like to make a constructive comment back to my colleague, Councilmember Cowden. Saying how well Parks did and then bringing up moving homeless out of the parks kind of sends a mixed message to our community. I believe there are two sides of what is happening here. We need to take our homeless—it is a must and it does not seem like County, State, or private has any idea how to do it, because there is no idea how to do it. We do not have land. If I could, in the most common sense, look at our constituents out there and say, if any wealthy landowners within our Kauai community want to give the County some acreage to put a viable ranch/farming/homeless community—that would be our answer, but we do not. Now, there is work that needs to be done and our County wanted to get our parks back for our local people to enjoy, so we were between a rock and a hard place. Hats off to everybody who worked really hard. Homelessness is a very emotional issue. I know you spend a lot of time down, and you make it apparent that you spend a lot of time down there, and we are honored that you do, because you bring back a lot of good information. We have visited those camps like Salt Pond, Waimea, Lucy Wright, and these people have nowhere to go, because we have no idea
where to put them—that is the bottom line. We have not forgotten about them. We are working hard. We need some land to make this happen. I am hoping whoever is watching today, whether it is large companies out there who own land, if you would like to donate a section of land, we have an idea as the seven (7) of us to put together some kind of place where they can have some constructive responsibilities to do and they can farm to live, but until we have that land, it is going to be very difficult. I just wanted to say that. Thank you.

Council Chair Kaneshiro: Council Vice Chair Chock.

Councilmember Chock: Thank you, Chair. I do not know if in eight (8) years on the Council there has been an easy budget, it has always been sort of an uphill climb, but if I look back five (5) years ago when we were having a difficult conversation about putting together a reserve policy, I am thankful that we moved as a Council in the right direction or we would be having a much more difficult conversation today—so for that, I am very thankful. I am also thankful that we are not seeing an increase in property tax rates this year—that is something we need to celebrate. I am also very excited about the one Council initiative that we did move through on the budget this year, in terms of securing this sewer expansion study, as well as securing this pass-through funding program with the State for cesspool conversions. I think these are things we need to celebrate. It has been a tough year with the pandemic and with the natural disasters that have been on its tail and right through it, so we are not strangers to being nimble and flexible and knowing what the priorities are and I think, as was said around this table, the priorities are there. We know what they are. It is about how it is we get to answering them. I think that we are moving in the direction, I am very thankful as well, that there is two million six hundred thousand dollars ($2,600,000) in the Housing Revolving Fund. That is, again, not what we had wanted to have—we wanted more of course, but this is where I think this conversation about helping our houseless population really starts to move towards solutions and I think that is where the Administration needs to focus. But it is more than just this funding in the Housing Agency. It is about the rest of the community's input and support as Councilmember DeCosta has mentioned, I think the request is there. But for the County—we have a model—Kealaula is meant specifically for transition in a way that we all—our neighbors, our family, our friends, want to see, but we need buy-in from the community as to where to put these projects and with that kind of partnerships we can move forward on it. So there is a glimmer of hope in my mind that it can still occur both on the westside community and the north, but it will take everyone not just the County and not just the State, who we have to also acknowledge, who has come to the table to help support these kinds of initiatives. I am also excited about the possibility of how we pivot as a community. What this has taught is, one, how to survive amidst changing industries perhaps, changing at least the face of it and how we can do it better. So I am excited with a lot of what I heard from the Office of Economic Development and what we can do as a County to support emerging industry opportunities. One of the pieces that we need
to look forward to is not only housing and agriculture, but it is also looking at our tax system in order to...I say we have not raised taxes and that is a great accomplishment, I think that we need to be able to tax appropriately in order to get the outcomes that we all need. We all know that the County is working at a deficit and under capacity. So how do we reach that? There are some ideas and the other counties have taken the lead in setting up a tier system. This is something that I think is very accessible to us in the next few years that will help us transition to getting people in the right lane and helping us as a whole community. Along with that, perhaps focus on how it is we not expand the exemptions so much, but actually help people get the exemptions that are already in existence, because there are many. But the gap is helping people through the process in order to actually access them and secure them year after year and that is something that is more of a communications piece that we need to ramp up. We take the good and the bad. This has been somewhat of an uneventful budget just because we do not have money, but I think that we need to focus on this, as Councilmember DeCosta said, on some of the glimmers of hope. I am thankful to our staff for helping us do that, as well as the Administration. I acknowledge, as was mentioned earlier, their ability or interest in wanting to work with us at the front end of the supplemental budget coming online, so that we can make the adjustments ahead of our budget decision process, which makes it much smoother. So thank you colleagues that is all I have to say.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I want to acknowledge another glimmer of hope that I am seeing in our community that will help to strengthen our recovery and that is the remote work that we have been able to do. I think it gives a lot more opportunity for people, when instead they used to go away for work for the bulk of their careers they will be able to come back and do it.

(Councilmember Chock was noted as not present.)

Councilmember Cowden: Just in response to Councilmember DeCosta, we have State and County land, we have ways, so we need to be creative with how we work with the County Planning Department zoning to be able to make realities work. We can do things to help strengthen. It is within our ability, but it takes the community to be willing and welcoming of solutions.

Council Chair Kaneshiro: Councilmember Kuali'i.

(Councilmember Chock was noted as present.)

Councilmember Kuali'i: The only other thing I would add is that our budget session may be ending, but our fiscal work continues and I think it continues in us working to identify supplemental funding sources for our County. As well as working with the Administration to prioritize how we expend those funds to make
the greatest impact on our operations and our residents. To that note, I want to point out that I just received the NACo update for the month of June and I will be sharing that with all of you; there are so many resources at naco.org. So I will even say to constituents out there who want to help us, naco.org has all of this information and they have a state and local fiscal recovery fund resources hub. They are coming up with a small virtual summit called Counties at Work and it is happening next Thursday and Friday, so even before our convention this summer or next month on automation and emerging technologies, remote work, shifting demographics, and the vast impacts of COVID-19. Then up-to-date information on the latest negotiations on the infrastructure package. I have gone through looking at the information from congressional committees and it is just way too much, so the fact that NACo is there in Washington D.C. and they analyze and summarize it and put it in a format that it workable for all our counties—it is very useful, so go and check it out. The last part is they have something called a NACo Knowledge Network. So all of the different workshops and summits and things that they provide throughout the year like this Counties at Work virtual summit next Thursday and Friday, if you are not able to get there then you can still go to the library and watch it after the fact. COVID-19 has taught us that we have a way to share our resources more easily, so go and take advantage of that. This Friday, there is a session on breaking down the American Rescue Plan Act, understanding the funding available to your counties. It is just an hour, so go and check that out. Thank you. Our work continues.

Council Chair Kaneshiro: Is there anyone else? If not, roll call vote.

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

The motion to approve Bill No. 2818, Draft 1 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL: Carvalho, Chock, Cowden, DeCosta, Evslin, Kuali’i, Kaneshiro TOTAL - 7,
AGAINST APPROVAL: None TOTAL - 0,
EXCUSED & NOT VOTING: None TOTAL - 0,
RECUSED & NOT VOTING: None TOTAL - 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

Bill No. 2819, Draft 1 – A BILL FOR AN ORDINANCE RELATING TO CAPITAL IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022 (Fiscal Year 2021-2022 CIP Budget)

Councilmember Kuali’i moved to approve Bill No. 2819, Draft 1 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: Are there any questions or discussion from the Members? If not, we will take a roll call vote.
The motion to approve Bill No. 2819, Draft 1 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL: Carvalho, Chock, Cowden, DeCosta, Evslin, Kuali‘i, Kaneshiro TOTAL – 7,
AGAINST APPROVAL: None TOTAL – 0,
EXCUSED & NOT VOTING: None TOTAL – 0,
RECUSED & NOT VOTING: None TOTAL – 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.

Bill No. 2823 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA‘I, STATE OF HAWAI‘I, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (Transient Accommodations Tax Revenue Reduction (Second Half of the Year) – $7,467,500.00)

Councilmember Kuali‘i moved to approve Bill No. 2823 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions or discussion from the Members? Again, I will say this is an impact for this fiscal year and this is the impact of not receiving TAT. We are using seven million four hundred thousand dollars ($7,400,000) of our reserve fund balance to cover money we would have received in TAT this year. TAT will be a big issue moving forward. With that, we will take a roll call vote.

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

The motion to approve Bill No. 2823 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL: Carvalho, Chock, Cowden, DeCosta, Evslin, Kuali‘i, Kaneshiro TOTAL – 7,
AGAINST APPROVAL: None TOTAL – 0,
EXCUSED & NOT VOTING: None TOTAL – 0,
RECUSED & NOT VOTING: None TOTAL – 0.

Ms. Fountain-Tanigawa: Seven (7) ayes.
Council Chair Kaneshiro: With that, Councilmember Kuali'i asked for a point of personal privilege, so I will give him that.

Councilmember Kuali'i: Thank you, Chair. I just want to say, mahalo nui loa, a big thank you to the Mayor and my fellow Councilmembers for yesterday's Mayoral proclamation and Council certificate supporting June 2021 as lesbian, gay, bisexual, transgender, and queer (LGBTQ) pride month and June 5th as the date of the second annual pride parade. As an announcement and putting the information out there, Kaua'i is celebrating LGBTQ pride month with its second annual Kaua'i pride parade that will take place on June 5, 2021 from 9:00 a.m. to 10:30 a.m. this Saturday. The parade will be a drive-thru experience to ensure the safety of the community and the groups participating. Floats will be stationary along Rice Street, distanced from other groups and there will not be contact between groups and the public. The public in their cars will drive from Vidinha Stadium to the State Department of Health on Umi Street. Social distancing, wearing masks, and having public spectators remain in their vehicles will create a safe atmosphere for all. The parade is a family-friendly event where all are welcomed to help celebrate diversity, inclusion, acceptance, dignity, and unity on our island. Happy pride month to our community. Thank you, Chair.

Council Chair Kaneshiro: That concludes the business on our agenda. Not seeing or hearing any objections, this Council Meeting is now adjourned.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 10:18 a.m.

Respectfully submitted,

[Signature]

JADE K. FOUNTAIN-TANIGAWA
County Clerk

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