

PUBLIC HEARING

MAY 17, 2017

A public hearing of the Council of the County of Kaua'i was called to order by Mason K. Chock, Chair, Planning Committee, on Wednesday, May 17, 2017, at 1:30 p.m., at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Arthur Brun (*present at 1:33 p.m.*)
Honorable Mason K. Chock
Honorable Ross Kagawa
Honorable Arryl Kaneshiro
Honorable Derek S.K. Kawakami
Honorable JoAnn A. Yukimura
Honorable Mel Rapozo

The Clerk read the notice of the public hearing on the following:

“Bill No. 2647 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING MAP ZM-PO 300 (*CIRI Land Development Company, Applicant*) (ZA-2017-2),”

which was ordered to print by the Council of the County of Kaua'i on April 12, 2017, and published in The Garden Island newspaper on April 21, 2017.

The hearing proceeded as follows:

JADE K. FOUNTAIN-TANIGAWA, County Clerk: Committee Chair
Chock, that is the first and only Bill today. We have one (1) registered speaker.

Committee Chair Chock: Okay. Can you please call our first speaker?

Ms. Fountain-Tanigawa: The first registered speaker is Ana Mohamad
Desmarais.

Committee Chair Chock: Welcome.

ANA MOHAMAD DESMARAIS: Hi everybody. It is so nice to see you all. You are a very busy body. Every week, there is something. Your plates are very full. I really appreciate all of your work. You truly deserve the honorable mention before your name. I love how you work together, you acknowledge each other, you were forthright, honest, disagreed, and came to a resolution. I really appreciate that.

Committee Chair Chock: Thank you, Ana. Can you please state your name for the record as well?

Ms. Desmarais: Yes. My name is Ana Mohamad Desmarais.

Committee Chair Chock: Thank you.

Ms. Desmarais: Council Chair Rapozo, I must say that I really love your wardrobe today.

Council Chair Rapozo: I am sorry.

Ms. Desmarais: I have to say I really love your wardrobe today.

Council Chair Rapozo: Oh, thank you.

Ms. Desmarais: It is a breath of fresh air.

Council Chair Rapozo: My wife dresses me every day.

Ms. Desmarais: Fantastic job.

Council Chair Rapozo: Thank you.

Ms. Desmarais: My feelings on Bill No. 2647 have not changed since I first went on the record. I feel the Visitor Destination Area should not be enhanced to include this residential property. I feel that we have many beautiful hotels, boutique hotels, vacation rentals, and many options for visitors. We should establish more of a balance moving forward for what the community needs with land space and with the humanitarian crisis that we are facing. I feel it is unethical. There is economic disparity on such fertile land. Being that the owner of this land is CIRI Land Development and have a beautiful philosophy for their company to be able to enable Native Alaskans to live the way they ought to live and be provided for that way of life...

(Councilmember Brun was noted as present.)

Ms. Desmarais: ...maybe there can be a conversation with the company on some sort of agreement so that the Hawaiian Natives also receive that same acknowledgment and respect. I love what is happening in Coco Palms right now where the land is being used the way it ought to be used, and there is so much healing happening for people to live close to the land. The way it was before should be considered on how we move into the future in this time of reparation for an inherent wrong. I see I am running out of time, but this can be a future conversation. I most assuredly feel that there should not be a Visitor Destination Area. I have nothing against the real estate agents. I feel many practice with much integrity, but the way that it is being advertised on Channel 6, which is basically a whole channel for selling real estate, I could quote how the Visitor Destination Areas are being used.

Committee Chair Chock: Okay, Ana. You have three (3) more minutes. I am going to ask if anyone else wants to testify. Is there anyone else signed up to testify?

Ms. Fountain-Tanigawa: There are no further registered speakers.

Committee Chair Chock: Would anyone else like to testify on this item today? If not, I would like to call Ana up for her second three (3) minutes. Please continue.

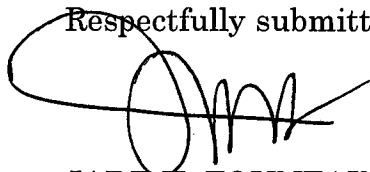
Ms. Desmarais: I am quoting from the advertisement of land sales in the Visitor Destination Area. "Build your dream home and second dwelling

on this one (1) acre lot in beautiful Po'ipū Beach Estates with just a short walk to the beach and golf course. Po'ipū Beach Estates is located within the Visitor Destination Area, so you have lots of options: live full-time, part-time, or vacation rent your home when you are not using it." Before that can perpetuate, I feel the balance needs to be established that I have been speaking on quite frequently. I feel that we can all work together to come to this agreement for what is best for Kaua'i and the sacred land use here. Maybe there should also be some protocol as to how to navigate the real estate way. Understandably, Kaua'i is much different than the way it is practiced on the mainland and in other places, but that should be in the consideration of all real estate agents, what is actually taking place in this exchange. I feel for general, all of Kaua'i should practice these ways in however it can come about in a very cohesive and easy manner, so not so rigid. Everybody can do what they can, but we will see. The way before was the people were close to the ocean, to the river, and the mountain. I feel that could be important. It does not have to be all on the same way. It could be scattered around. We can just work together to find a solution on this. I feel that the company would understand this request and would be willing to work and come to an understanding together to accommodate this request. I really appreciate all of you so much. I know there is a heavy responsibility on you, and we can all work together with the community. I know I have been the only one showing up for public testimony, but there are a lot of people that truly do care. Thank you.

Committee Chair Chock: Thank you. If there is no other public testimony, this ends the public hearing for Bill No. 2647.

There being no further testimony, the public hearing adjourned at 1:38 p.m.

Respectfully submitted,



JADE K. FOUNTAIN-TANIGAWA
County Clerk