

PUBLIC HEARING

MAY 29, 2019

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 29, 2019, at 1:31 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 Mason K. Chock
Honorable Luke A. Evslin
Honorable KipuKai Kualii
Honorable Arryl Kaneshiro

Not Present: Honorable Arthur Brun
Honorable Ross Kagawa

Excused: Honorable Felicia Cowden

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

“Bill No. 2747 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 6, ARTICLE 14, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND,”

which was ordered to print by the Council of the County of Kaua'i on April 24, 2019, and published in The Garden Island newspaper on May 1, 2019.

The hearing proceeded as follows:

JADE K. FOUNTAIN-TANIGAWA, County Clerk: Committee Chair Chock, we have no written testimony or no one has registered to speak on this matter.

Committee Chair Chock: Thank you. Would anyone from the audience like to testify on this item? Mr. Sykos, you are up first. For those of you who are joining us, you have two (2) opportunities to speak at the public hearing, each for three (3) minutes, in which you can have your second time after everyone has spoken. You have the floor.

LONNIE SYKOS: For the record, Lonnie Sykos. I found this Bill to be very interesting. The question that I have for Council Chair Kaneshiro is, has the Council reviewed your own testimony going back through the years about this subject? I sat here in the Council Chambers and listened to the arguments about this through the years. Originally, this fund was solely to purchase property and the conversation that occurred in the Council was that if this fund was allowed to be used for maintenance, repairs, or development, it would eat all of the money up. It was presumed in the public discussion that if the County chose to use this money to buy

land, that they County was also assuming the responsibility to budget the money required for the maintenance, development, and all of the other uses aside from the purchase of the land. If you convert this fund into a supplemental fund for parks maintenance or parks development, you will rapidly never have enough money in the fund to purchase more land. I think this is an absolute mistake, that the County can purchase land and let it sit idle until it gets the money to do whatever the County wants to do with it. But if you allow the diversion of money out of the fund that is specific to purchase land, we are done purchasing land. How much money is Black Pot Beach Park going to cost to develop? If it comes out of the fund, then the fund is out of money. All of the various things that occur that we have the opportunity to purchase land, we will not have the opportunity to purchase, because the money will be gone. I am opposed to this Bill in its current form and I think that the Public Access, Open Space, Natural Resources Preservation Fund (Open Space Fund) should remain what it was created for, which it to purchase land, not for park maintenance and development. Thank you.

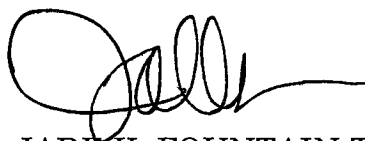
Committee Chair Chock: Thank you. Would anyone else like to testify on this Bill? Tessie.

TESSIE KINNAMAN: Good afternoon. Tessie Kinnaman, for the record. I totally agree with Lonnie Sykos, in fact, I voted against this at the General Election, the reason being, as he stated, there would not be enough funds for purchasing. If there is an inkling that you would like to use some of these funds for improvements, I would suggest maybe one percent (1%) of the fund be set aside for initial improvements when you initially purchase a property. In Section 6-14.2, you have, "At any given time, no more than five percent (5%) of this fund shall be used for administrative expenses." As Lonnie said, there would be no funds if we do use any moneys from this fund in this new Bill. I do not agree with it at all and like I said, if need be, set aside one percent (1%) just for initial improvements for acquired properties. That is my testimony. Thank you.

Committee Chair Chock: *Mahalo.* Anyone else? Ka'āina? Okay, this is your last chance. Alright, this concludes the public hearing for Bill No. 2747.

There being no further testimony, the public hearing adjourned at 1:37 p.m.

Respectfully submitted,



JADE K. FOUNTAIN-TANIGAWA
County Clerk

:jy