

COUNTY OF KAUA'I  
Minutes of Meeting  
OPEN SESSION

Board/Commission:		<b>Public Access, Open Space and Natural Resources Preservation Fund Commission</b>	Meeting Date	<b>June 13, 2019</b>
Location	Mo'ikeha Building – Meeting Room 2A/2B		Start of Meeting: 1:56 p.m.	End of Meeting: 3:05 p.m.
Present	Chair Karen Ono. Vice Chair Shaylyn Kimura. Commissioners: Jett Jasper, Nancy Kanna and Herman Texeira. Also: Office of the County Attorney: First Deputy County Attorney Nicholas Courson and Deputy County Attorney Andrew Michaels, Planning Department Staff: Director of Planning Ka'aina Hull ( <i>arrived 1:59 p.m.</i> ), Long Range Planner Marie Williams ( <i>left at 2:01 p.m.</i> ), Nani Sadora and Duke Nakamatsu. Office of Boards and Commissions: Administrator Ellen Ching and Commission Support Clerk Sandra Muragin.			
Excused	Commissioner Erica Taniguchi.			
Absent				
SUBJECT	DISCUSSION			ACTION
<b>Call To Order</b>	Four Commissioners were present at the 1:00 p.m. scheduled meeting time; however, due to the delayed arrival of the fifth commissioner, the meeting was postponed 56 minutes.			Chair Ono called the meeting to order at 1:56 p.m.
<b>Roll Call</b>	The meeting commenced with a roll call of the Commissioners.			Five Commissioners were present, which constituted a quorum.
<b>Approval of Agenda</b>				Mr. Texeira moved to approve the agenda. Ms. Kanna seconded the motion. Motion carried 5:0.
<b>Minutes of the Meeting(s) of the Open Space Commission</b>	<b><u>D.1.</u></b> <u>Meeting minutes of May 9, 2019.</u>			Mr. Texeira moved to approve the May 9, 2019, minutes as circulated. Ms. Kanna seconded the motion. Motion carried 5:0.
<b>Receipt of Items For The Record (None)</b>	There were no items to receive for the record.			
<b>Hearings and</b>	<b><u>F.1.</u></b> <u>All remaining public testimony pursuant to HRS 92 (Sunshine Law).</u>			

SUBJECT	DISCUSSION	ACTION
<b>Public Comment</b>	Seeing no one, Long Range Planner Marie Williams moved on to the next agenda item.	
<b>Communication (For Action) (None)</b>	There were no communications.	
<b>Unfinished Business (For Action)</b>	<p><b><u>H.1. Update by Planning Department on a bill for an Ordinance amending Chapter 6, Article 14, Kaua'i County Code 1987, as amended, relating to the Public Access, Open Space, and Natural Resources Preservation Fund.</u></b></p> <p>An update on the status of the bill for an Ordinance was presented to the Commission by Ms. Williams. Bill No. 2747 an Ordinance amending Chapter 6, Article 14, Kaua'i County Code 1987, as amended, relating to the Public Access Open Space Natural Resources Preservation Fund was approved at its second and final reading before the County Council today. She said the Council Committee made minor amendments to the final bill and once it's transmitted to the Department the Commission would receive a copy. Chair Ono inquired if any changes were made during the last committee meeting. Ms. Williams responded that no changes were done from the last meeting and that the County Council felt good about the final product.</p> <p>With no further inquiries from the Commission, Ms. Williams moved on to the next agenda item.</p>	
	<p><b><u>H.2. Update and discussion regarding acquisition of the 0.2764 acre parcel located in Hanapēpē, Hanapēpē Ahupuaa, Kona Moku, further identified as Tax Map Key (TMK) (4) 1-8-008:065.</u></b></p> <p>Ms. Sadora read Supplemental #4 to Preliminary Report dated May 9, 2019, for the record and clarified that this parcel is the front lot. <i>(Document on file)</i></p> <p><i>Ms. Williams left the meeting, Director of Planning Ka'āina Hull presided over the meeting at 2:01 p.m.</i></p>	

SUBJECT	DISCUSSION	ACTION
	<p>With a \$265,000 appraisal amount and a \$430,000 offer to sell amount, Director of Planning Ka'āina Hull reminded the Commission that the County Council previously stated that they only would review proposed purchases with two requirements; one is it must be accompanied with an appraisal and the other was that the purchase price should not exceed the appraisal amount. Mr. Hull explained that the Department was ready to begin negotiations with the landowner but needed a temperature check if the Commission wanted to continue to pursue the purchase of this lot. He recommended that should the landowner not want to negotiate, the Department recommended pursuing only the back lot. Ms. Kanna commented that the parcels have sat idle for a long time and the Commission may have leverage, if they pursue both lots, at the same time. Mr. Hull said he recently was approached by a County Council member who asked about the parcels status because they received numerous inquiries from the community and was anxiously waiting for a proposal. The Commissioners unanimously consented to allow the Department to begin negotiations with the landowner with the intention of purchasing the front parcel also.</p>	<p>Mr. Texeira moved to receive Supplemental #4 to Preliminary Report dated May 9, 2019, on the acquisition of the 0.2764 acre parcel located in Hanapēpē, Hanapēpē Ahupuaa, Kona Moku, further identified as Tax Map Key (TMK) (4) 1-8-008:065. Ms. Kanna seconded the motion. Motion carried 5:0.</p>
	<p><b><u>H.3.</u></b> <u>Update and discussion regarding acquisition of the 0.2867 acre parcel located in Hanapēpē, Hanapēpē Ahupuaa, Kona Moku, further identified as Tax Map Key (TMK) (4) 1-8-008:071.</u></p> <p>Supplemental #4 to Preliminary Report dated May 9, 2019, was provided. (<i>Document on file</i>)</p> <p>Mr. Hull identified this as the back lot where the Hanapēpē massacre occurred. Ms. Sadora</p>	

SUBJECT	DISCUSSION	ACTION
	<p>said the information is the same except the appraisal price is \$262,000 and the offer to sell amount was \$445,000.</p>	<p>Ms. Kanna moved to receive Supplemental #4 to Preliminary Report dated May 9, 2019, on the acquisition of the 0.2867 acre parcel located in Hanapēpē, Hanapēpē Ahupuaa, Kona Moku, further identified as Tax Map Key (TMK) (4) 1-8-008:071. Mr. Teixeira seconded the motion. Motion carried 5:0.</p>
	<p><b><u>H.4. Update on access to Lāwa‘i Kai (Allerton’s) Kōloa.</u></b></p> <p>Ms. Sadora read Supplemental Report #1 to Preliminary Report dated May 9, 2019, for the record. (<i>Document on file</i>)</p> <p>Ms. Sadora said former Commissioner Theodore Blake was still willing to assist with facilitating this process and had the backing of the community to support this access. Ms. Kimura asked if it was possible for the County’s Parks &amp; Recreation to agree taking on the maintenance of additional inventory. Mr. Hull said the caveat on securing this access is the National Tropical Botanical Garden’s (NTBG) demand that the County enforce strict access limitations to the beach site. This would require a gate management system and minimum of two on-site staff to supervise the entrance area. Once an agreement is made on the capacity number the on-site staff would enforce these restrictions. Mr. Hull said the new administration did not budget for any new positions. The Commission talked at length on staffing the entrance with volunteers, possible confrontations with the public, police enforcement and the fact that NTBG would not staff the entrance. Despite the uncertainty, the Department advised that they want to continue to pursue negotiations; however it could possibly take another year before there would be any progress or new information to share with the Commission.</p>	<p>Ms. Kimura moved to receive Supplemental #1 to</p>

SUBJECT	DISCUSSION	ACTION
		<p>Preliminary Report dated May 9, 2019, on the update of access to Lāwa‘i Kai (Allerton’s) Kōloa. Mr. Jasper seconded the motion. Motion carried 5:0.</p>
	<p><b><u>H.5. Discussion and scheduling of community outreach for development of the biennial list of priority projects to be reported to the Kaua‘i County Council and the Mayor.</u></b></p> <p>The Commissioners were asked to check their availability and confirm attendance to the following community meetings. A finalized list with each associations meeting date, time, place and representative would be emailed later.</p> <ol style="list-style-type: none"> <li>1. Hale Hā‘ena Community Association, meeting date pending – Ms. Kimura</li> <li>2. Kīlauea Neighborhood Association, July 2 – Ms. Kimura</li> <li>3. Wailua/Kapa‘a Neighborhood Association, 4<sup>th</sup> Saturday, Kapa‘a Library July 27, 2-4pm – no volunteer (check with Commissioner Taniguchi)</li> <li>4. Līhu‘e Business Association, 4<sup>th</sup> Thursday, Dukes July 25, 7:30-9am – Chair Ono</li> <li>5. Kōloa Neighborhood Association, no set meeting dates, August – Chair Ono</li> <li>6. Hanapēpē/‘Ele‘ele, Hanapēpē Library, July 17 – Ms. Kanna</li> <li>7. Waimea Business Association, 1<sup>st</sup> Tuesday, High School Cafeteria, July 9 – Ms. Kanna</li> <li>8. E Ola Mau Kekaha, meeting date in July pending – Ms. Kanna</li> </ol> <p>Ms. Sadora said normally the Association allots 15-20 minutes at the beginning of their meeting, and the Commission briefs them with its purpose, biennial report and request for completion of a survey on recommendations from their community on possible acquisitions. She said the surveys could also be listed on the County’s Facebook page, website, printed in the newspaper and posted at all the Public Libraries.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Ms. Kimura recalled issues she experienced three years ago and suggested the Commission prepare themselves with how to respond to inquiries and come up with ground rules. Mr. Hull responded that he was willing to accompany them to these meetings and that it was not intended for anyone to defend actions or non-actions. He stated that recommendations from an official public format would trigger the Department to complete a draft report in 60-days. Should the public request further discussions it should be brought back to the full Commission and placed on the agenda.</p>	
<b>Announcements</b>	<p>Mr. Hull applauded Ms. Williams for handling questions from the County Council, and her ability to respond with limited knowledge about the process. He said Deputy Director of Planning Jodi Higuchi-Sayegusa was working from home and expected to deliver at any time. In the interim, Ms. Williams would be the Acting Deputy Director of Planning and handling some of the meetings.</p> <p>Mr. Hull informed the Commission that in September, there is a week-long intensive workshop in Chattanooga, Tennessee for planners, policy makers and public officials that is focused on Placemaking. Placemaking is an approach that incorporates community assets, cultural ties and recognizes regional identities in the planning, design and management of public spaces. The development and approach to the Hanapēpē massacre site would benefit from this training. He said funds were available; however, they could not send quorum. Mr. Hull would be working with Chair Ono to establish a slate of Commissioners to attend the workshop.</p>	
<b>Next Meeting Date and Agenda Topics for Discussion</b>	<p>Next scheduled meeting date is Thursday, July 11, 2019, at 1:00 p.m.</p> <p>Chair Ono received the following July agenda topics:</p> <ol style="list-style-type: none"> <li>1. Update PIG report of findings – Ms. Sadora</li> <li>2. Report on Council meetings – Ms. Kanna</li> <li>3. Association meeting updates</li> <li>4. Place maker</li> <li>5. Update on vacancies</li> </ol>	
<b>Adjournment</b>		Mr. Teixeira moved to adjourn

SUBJECT	DISCUSSION	ACTION
		the meeting. Ms. Kanna seconded the motion. Motion carried 5:0.  Meeting adjourned at 3:05 p.m.

Submitted by:   
Sandra M. Muragin, Commission Support Clerk

Reviewed and Approved by: \_\_\_\_\_  
Karen Ono, Chair

- ( X ) Approved as circulated. 07/11/19
- ( ) Approved with amendments. See minutes of \_\_\_\_\_ meeting.