

COUNCIL MEETING

DECEMBER 16, 2020

The Council Meeting of the Council of the County of Kaua'i was called to order by Council Chair Arryl Kaneshiro at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, December 16, 2020 at 8:48 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 (*via remote technology*)
Honorable KipuKai Kuali'i
Honorable Arryl Kaneshiro

Council Chair Kaneshiro: Please note that we will run today's meetings pursuant to Governor Ige's Emergency Proclamations with the most recent relating to the Sunshine Law being his Sixteenth Supplementary Emergency Proclamation dated November 23, 2020.

APPROVAL OF AGENDA.

Councilmember Kuali'i moved for approval of the agenda, as circulated, seconded by Councilmember Chock.

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

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

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

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

MINUTES of the following meetings of the Council:

November 18, 2020 Council-Elect Meeting
November 25, 2020 Council Meeting
December 1, 2020 Inaugural Meeting

Councilmember Kuali'i moved to approve the Minutes as circulated, seconded by Councilmember Cowden.

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

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

The motion to approve the Minutes, as circulated, was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried. Next, we will take testimony on Resolution No. 2021-04 and let it be known that this testimony will be tied to the item, which is going to come up later in our meeting. I will suspend the rules.

There being no objections, Resolution No. 2021-04 was taken out of order.

RESOLUTIONS:

Resolution No. 2021-04 – RESOLUTION SUPPORTING AND URGING EQUITY, INCLUSION, AND SOCIAL AND ECONOMIC JUSTICE PRINCIPLES IN COVID-19 RELATED RECOVERY INITIATIVES

Council Chair Kaneshiro: We have Khara. You have a total of six (6) minutes for your testimony. There is a light, if you can see it, it is in the front of our screen. It will turn green when it is your turn to start, just state your name for the record. It will turn yellow when you have thirty (30) seconds left, and red when the full six (6) minutes are up. You can begin when you are ready and just state your name for the record.

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

KHARA JABOLA-CAROLUS *(via remote technology)*: Thank you so much. Good morning, everyone. For your record, my name is Khara Jabola-Carolus and I am the Executive Director of the State Commission on the Status of Women. If you hear children in the background, it is because I am right there with women in the State in this struggle through the pandemic and childcare, so I apologize in advance. I do not want to belabor the points of my written testimony, but I just want to emphasize a couple of things. Everyone has been impacted by COVID-19; however, there has been a really serious toll on the status of women in Hawai'i. We are seeing how great this toll has been, and we know the extent of the damage to women, in particular, as a group is really dependent on how government can understand what they are going through. What you are reviewing before you for passage is really historic. Hawai'i was the first state to pass Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) at every County-level, so legislation committing to ending discrimination against women and we are currently the only state in the nation with this achievement. So this Resolution would really advance that commitment. It would allow us to really work with the County to make sure you have the tools to evaluate that recovery is equitable for women and addresses the challenges there. I just want to avail myself for

questions and urge you to pass this very urgent matter, as we understand that there are recoveries already underway. We want to make sure that we are able to support women in your County. Thank you so much.

Council Chair Kaneshiro: Thank you. Councilmember Cowden.

Councilmember Cowden: I have a clarifying question. What questions would you think we would have that you can comment on? You can clarify what more you would say, we cannot ask you very direct questions.

Ms. Jabola-Carolus: If you have any questions related to why this matter might be important, some of the impacts that we have seen statewide around the impact to women, I am happy to speak to that, as well as the State efforts to what it might look like to have a gender-equitable recovery. I know that at the international level, this has been codified and implemented. In fact, the United States Department of Defense required gender-equity training and gender-sensitivity training to the National Guard before they deployed to Hawai'i, but I know that at the local and State levels, it still has not been mainstreamed, so I am happy to answer general questions around any of that. Thank you.

Council Chair Kaneshiro: Thank you for your testimony. Next up, we have the interview for Liquor Control Commission.

INTERVIEW:

LIQUOR CONTROL COMMISSION:

- Leland K. Kahawai – Term ending 12/31/2022

Council Chair Kaneshiro: Ellen, are you on?

ELLEN CHING, Boards & Commissions Administrator (*via remote technology*): Good morning.

Council Chair Kaneshiro: Good morning, Ellen.

Ms. Ching: Good morning. Ellen Ching, Boards & Commissions Administrator. Good morning, Chair and Councilmembers. First off, I would like to congratulate you all, wish you a very happy holiday, and New Year. It is my pleasure this morning to introduce Leland Kahawai. Leland has been a leader in our financial institution for the past thirty (30) years. He is currently the Senior Vice President and Region Manager at First Hawaiian Bank. He initially came to Kaua'i in 1997, as the Vice President and the Līhu'e Branch Manager for fourteen (14) years. We then lost him to Maui for six (6) years and we are lucky to have him back with us since April 2018. Leland has volunteered with many community organizations. Previously, he also served on the Board of Water Supply from May 2007 to April 2011, and is currently serving on the Salary Commission. At this time, due to an early resignation, there will be three (3) vacancies on the Liquor Control Commission. Right at the moment when the Commission has just started the process to hire a new director to provide some stability during this period of

transition, two (2) have chosen to stay on for an addition ninety (90) days. At the same time, I asked that if both the extra vacancies to bolster the Commission with Leland's knowledge on executive recruitment professionally from his tenure with the Board of Water Supply to assist the Liquor Commission with this important task and transition. Thank you.

Council Chair Kaneshiro: Thank you, Ellen. With that, Leland, would you like to add anything?

LELAND K. KAHAWAI (*via remote technology*): No, I just want to say, good morning, Chair Kaneshiro and the other Members of the Council. Happy Holidays. I just wanted to share that as Ellen mentioned, I grew up involved in community work, my family started me at a young age and as an adult, as well as with my employer, community involvement at work has been a high priority for me, so I look forward to serving at any capacity that I can.

Council Chair Kaneshiro: Thank you, Leland. Are there any questions from the Councilmembers? Councilmember Cowden.

Councilmember Cowden: First, I want to thank you for your willingness to serve. When I am reading your application, you made a statement in here that I think is important to share with the public. It says, "My background as manager in working within an industry that is highly regulated provides me with the knowledge and experience to work within the confines of compliance and regulations and to enforce them as needed." If you could speak a little bit more to that. Also, as having been a leader at First Hawaiian Bank in Līhu'e, probably a number of your clients have been in this industry, so for people who do not know you, I would like for them to hear what unique skills and understanding that you bring to the table, because I think it is very important that we are looking for people who understand the topic.

Mr. Kahawai: Sure. As mentioned by Ellen, my background has been primarily in the financial industry, particularly in banking, and banking as everyone may know is highly regulated. My experience has been to apply those regulations fairly across the board to all my customers, as well as to my employees. Being able to apply that fairly and to make informed decisions has helped me to be able to put those regulations and those rules into place, and to allow them to help my customers through the process. For example, mortgage loans, primarily, come with a lot of compliance and rules, so speaking to my customers about the different rules and regulations, what would be the best product for them, and informing them of all the differences, I believe, is an example of applying the rules fairly.

Council Chair Kaneshiro: Councilmember Chock.

Councilmember Chock: Thank you, Chair. Leland, thanks again for stepping up and serving our community in this capacity. The Liquor Control Commission is certainly in need of help with not only filling the position that is vacant, but also in terms of how it will sustain itself moving forward. As you know, State funding is in question and given our economic shortfalls, this is going to be a big task for the Commissioners, so I am sure you are aware of it, if you have any

comments to add in, I would appreciate it, but you do have my full support. Thank you for continuing on.

Mr. Kahawai: Thank you.

Council Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: Aloha, Leland. *Mahalo nui loa* for your service, your willingness to serve, and for your prior service on the Board of Water. I think you are currently on the Salary Commission, also.

Mr. Kahawai: Yes.

Councilmember Kualii: My question is more about process and it might be Ellen's to answer, but it says your Salary Commission expires in December 2021. If you take this new position, does that mean you are stepping down from the other position?

Ms. Ching: Councilmember Kualii, I will address that answer. Yes, he would be stepping down from the Salary Commission to accept the position with the Liquor Commission.

Councilmember Kualii: When does that happen?

Ms. Ching: Should Mr. Kahawai's application meet with Council's approval—that would happen once you approve his nomination.

Councilmember Kualii: Thank you, Ellen. Again, Leland, *mahalo* for your service.

Mr. Kahawai: Thank you.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: Good morning and *aloha*, Leland. Great to see you again.

Mr. Kahawai: Same here.

Councilmember Carvalho: I have known you for a long time and I know no matter what commission you serve on, you will do it well. You come to the table with a wealth of experience and I know you have a great connection within our community, not to mention your *‘ohana* at first, but I just wanted to *aloha* you and say that we look forward to “talking story” but at the same time, your commitment and dedication, because I have known you for a long time. You are always at the table willing to serve. I just wanted to mention that to everyone and *aloha* you for that, so thank you for your service. *Aloha*.

Mr. Kahawai: Thank you.

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

Councilmember Evslin: I will just echo what my colleagues have said and appreciate your willingness to serve, especially your willingness to serve on the Liquor Commission. I think sometimes, similar to the Planning Commission, it can be a Commission that is in the spotlight in some ways or gets negative attention, because you are making hard decisions. So, I appreciate your willingness to go forward here and I think your expertise will certainly help the Commission. Thank you.

Mr. Kahawai: Thank you.

Council Chair Kaneshiro: I just want to say, thank you, Leland, for all your volunteerism and everything you do for the community. We will be voting on this at our next Council Meeting. Thank you.

Mr. Kahawai: *Mahalo.* Have a great day everyone.

Councilmember Chock: *Aloha.*

Councilmember Cowden: *Aloha.*

Council Chair Kaneshiro: Next up, we have the Consent Calendar.

CONSENT CALENDAR:

C 2021-02 Communication (10/28/2020) from Darcie Yukimura, Chair of the Committee on the Status of Women, requesting that the Kaua'i County Council join efforts that support gender equality principles in COVID-19 recovery initiatives.

C 2021-03 Communication (11/25/2020) from the Housing Director, transmitting for Council consideration, a Resolution To Receive And Expend A Special Allocation Of Grant Funds From The Department Of Housing And Urban Development, United States of America, Authorized By The Coronavirus Aid, Relief, And Economic Security Act (CARES Act) Of 2020 (Public Law 116-136).

C 2021-04 Communication (12/02/2020) from Council Chair Kaneshiro, transmitting for Council consideration, a Resolution appointing Mason K. Chock as Kaua'i's representative and Bernard P. Carvalho, Jr., as alternate to the Executive Committee of the Hawai'i State Association of Counties (HSAC).

C 2021-05 Communication (12/02/2020) from Councilmember Cowden, transmitting for Council consideration, a Resolution Amending Resolution No. 2021-02 Relating To The Rules Of The Council Of The County Of Kaua'i For The Organization Of Committees And The Transaction Of Business.

Councilmember Kualii moved to receive C 2021-02, C 2021-03, C 2021-04, and C 2021-05 for the record, seconded by Councilmember Cowden.

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

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

The motion to receive C 2021-02, C 2021-03, C 2021-04, and C 2021-05 for the record was then put, and unanimously carried.

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

COMMUNICATIONS:

C 2021-06 Communication (11/24/2020) from the Executive on Aging, requesting Council approval to receive and expend a total of \$384,285.00 in State General Funds for Fiscal Year 2021, and to indemnify the State Executive Office on Aging; funds will be used for the provision of Kūpuna Care Services, which includes adult day care, case management, home-delivered meals, assisted transportation, homemaker services, personal care, and kūpuna care transportation costs.

Councilmember Kualifi moved to approve C 2021-06, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions from the Members on this item? I will suspend the rules. Councilmember Cowden.

Councilmember Cowden: *Aloha, Kealoha.* Thank you for the excellent work that you do. I appreciate all the effort that the Agency on Elderly Affairs is doing right now. Could you tell us what this three hundred eighty-four thousand dollars (\$384,000) is going to be utilized specifically for? It seems like some things are being lightened in some degree, so I want us all to be aware of what is continuing and what that means.

There being no objections, the rules were suspended.

LUDVINA K. TAKAHASHI, Executive on Aging (*via remote technology*): Thank you, Councilmember Cowden, for this opportunity. This is Kealoha Takahashi, Executive with the Agency on Elderly Affairs. As you have mentioned, the services that I have listed there, Case Management—the money will be divided up. Right now, I am not sure of the amounts, but this goes to continued services like, Adult Daycare, Kūpuna Care transportation, personal care, homemaker, and home-delivered meals. Adult Daycare is run by Kaulana Finn who is the manager now for the Kaua'i Adult Day Health Center. Kūpuna Care transportation—we have an agreement with our County Transportation Agency to provide those services. Personal care and homemaker services are provided by three (3) providers: Bayada, Master Care, and

Regenerative Care, that provide those services. Then, of course, home-delivered meals is with Kaua'i Economic Opportunity (KEO).

Councilmember Cowden: Okay, thank you. I have heard from seniors and the main point they look forward to in their lives is often who comes to help them. So, I just want to acknowledge this and thank you so much. There are still little meal kits going out too, is that happening?

Ms. Takahashi: For the home-delivered meals, because the congregate meal participants are not congregating at this time, we are allowing and we received permission from our Executive Office on Aging to provide home-delivered meals for those who want to receive those meals. Also, we started a program called "restaurant." We bought restaurant gift cards in the amount of ten dollars (\$10) each that will go to our congregate meal participants. We have five (5) restaurants that have agreed to provide those lunches. It is grab-and-go, where they can go in. Off the top of my head, we have two (2) restaurants out on the Westside, Gina's Restaurant and Ishihara Market, we have Wong's Restaurant in Hanapēpē, Waipouli Deli in Kapa'a, and Mama Lucy's in Līhu'e—they have all agreed to provide gift certificates for seniors, especially the congregate meal participants to grab a meal with a gift certificate for ten dollars (\$10). That is in the "woodworks" as well.

Councilmember Cowden: Okay, thank you so much for all your good work.

Ms. Takahashi: Thank you.

Council Chair Kaneshiro: Are there any further questions from the Members for Kealoha on this item? Councilmember Kuali'i.

Councilmember Kuali'i: *Aloha*, Kealoha. Thank you for being here.

Ms. Takahashi: *Aloha*.

Councilmember Kuali'i: Just a quick question, is this the normal flow of funding that comes at different times throughout the year or is this above and beyond additional moneys that we are getting?

Ms. Takahashi: No, this is earmarked for 2021. The State is releasing it quarterly, so you may see more coming down the pipeline next year. This is our State funding, we also have Federal dollars. The State funding, as you all know, with the constant budget cuts, we are hoping that this continues, this is already in the Executive Office on Aging in their budget. So we are hoping this will continue. As far as I know, the moneys are as good up until the 21st. When we receive State funds, we have two (2) years to expend those funding, so I am not sure where we

currently are, I can provide you with our current budget and what we are looking at for the next year. So this will cover us up until June of next year.

Councilmember Kualii: Alright, I know we will be seeing you soon for budget.

Ms. Takahashi: Yes.

Councilmember Kualii: Thank you, keep up the good work.

Ms. Takahashi: Thank you.

Council Chair Kaneshiro: Are there any further questions from the Members? Do you have a question?

Councilmember Cowden: No, I just want to make a discussion point.

Council Chair Kaneshiro: Okay, so if no further questions, I will call this meeting back to order. Is there any final discussion from the Members?
Councilmember Cowden.

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

Councilmember Cowden: I am really wanting to put a little emphasis on our Agency on Elderly Affairs, because the State budget is squeezing. I want all of our Members to understand how important it is and we keep an eye on it as we are headed into our County budget, because they largely function on State funds. This is a really important group that we are addressing right now, 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 2021-06 was then put, and unanimously carried.

Council Chair Kaneshiro: The motion passes. Next item.

C 2021-07 Communication (11/30/2020) from the Chief of Police and Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, requesting Council approval to accept and expend Hawai'i High Intensity Drug Trafficking Area (HIDTA) discretionary funding from the Office of National Drug Control Policy, in the amount of \$147,425.00, for payment of overtime, renting vehicles, training, replacement of old equipment, and the purchase of new technology.

Councilmember Kualii moved to approve C 2021-07, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: With that, police does have a quick presentation for us, so I will suspend the rules.

There being no objections, the rules were suspended.

TODD G. RAYBUCK, Chief of Police (*via remote technology*): Aloha, Councilmembers and Chair Kaneshiro. This is Chief Raybuck, for the record. Thank you very much for the opportunity to do this presentation. Before I begin, I would just like to say Happy Holidays to all of you. Also, congratulations to you for your re-elections and your new elections to your office. Thank you for your continued support that we have always received from the Council. I look forward to working with each of you, as we continue to move forward in these difficult times in our County, both financially and given all the other crises that we face that are related to COVID-19. I will ask Assistant Chief Bryson Ponce to provide you with a presentation this morning. I will turn the rest of the presentation to Assistant Chief Ponce, he will also be presenting on the next agenda item as well, so I will let him just follow-up with you on that next presentation and I will stand by if you have any questions for us. Thank you.

Council Chair Kaneshiro: Thank you. Assistant Chief Ponce, you have the floor. As we do with most presentations, Councilmembers, we will hold our questions until the end of the presentation, so just take notes of any questions you have, then we can ask them once their presentation is completed. Assistant Chief Ponce, you have the floor.

BRYSON PONCE, Assistant Chief of Police, Investigative Services Bureau (*via remote technology*): Aloha and good morning. I am going to share my screen with you folks for the presentation. Give me one (1) second. Can you folks see the screen?

Councilmember Cowden: Yes.

Mr. Ponce: What is High Intensity Drug Trafficking Area (HIDTA)? HIDTA is the High Intensity Drug Trafficking Areas, more specifically, Hawai'i's HIDTA program was created by Congress with the Anti-Drug Abuse Act of 1988. What they do is provide assistance to Federal, State, local, and tribal law enforcement agencies operating in areas determined to be critical drug trafficking regions in the United States. The grant is administered by the Office of National Drug Control Policy (ONDCP). So, the HIDTA Hawai'i overall budget is three million six hundred thousand dollars (\$3,600,000). Our portion, for which we are asking for approval, is one hundred forty-seven thousand four hundred twenty-five dollars (\$147,425). What does the Kaua'i Police Department (KPD) use HIDTA funds for? HIDTA funds pay for Task Force members' overtime, for personnel to conduct investigations, these include surveillance, search warrant executions, drug purchases, and undercover projects. Also, we use the funding for training. We have online training,

conferences, our officers have mandatory certification training, and other K-9 related expenses and trainings. Some of the equipment, deals with surveillance equipment, vehicle rentals, and other supplies. Our Task Force abilities requires other members from various agencies to assist. Also, our own Task Force members will assist other agencies when they need help. Some of the highlights of KPD Vice Section using HIDTA funds are when drugs are recovered. Just a little snap shot of the past two (2) years. In 2019, Heroin "Black Tar" about a quarter pound is four thousand dollar (\$4,000) street value. Methamphetamine, almost fifteen (15) pounds with a street value of one hundred forty-seven thousand dollars (\$147,000). In 2020, some numbers so far, again, "Black Tar" Heroin, about a pound, street value of sixteen thousand dollars (\$16,000). Methamphetamine, eleven and a half (11 ½) pounds with a street value of one hundred sixteen thousand one hundred dollars (\$116,100). Cocaine, about a pound and a half (1 ½) with a street value of twenty-one thousand dollars (\$21,000). We also recovered guns. In 2019, sixteen (16) guns and to-date in 2020, eleven (11) guns. Major operation costs, how much does one think it might cost in overtime for one month for fourteen (14) people for seven (7) days a week with a minimum of twelve (12) hours a day? In this one major operation, it actually was eighty-five thousand dollars (\$85,000), so this was covered federally and not by County funds, because the operation was under HIDTA operation. Not all of our investigations are this expensive, but we do have to expend a lot of money on overtime. Unfortunately, those dealing drugs do not have set hours and they do not give us a schedule when they plan their activities, so we need to work around when they are active. I just wanted to sum it up with a snapshot of the HIDTA funding and what we utilize some of the moneys for.

Council Chair Kaneshiro: Okay, thank you for that. You can stop the screen share.

Mr. Ponce: Okay.

Council Chair Kaneshiro: We have a few questions from the Councilmembers. First, we have Vice Chair Chock.

Councilmember Chock: Thank you, Chair. Thank you, Assistant Chief Ponce for the presentation. I know that HIDTA has been recurring type funding that we have been able to tap into previously. I was wondering if you know, approximately, what the overall budget is for the investigation and Task Force that you have relating to this anti-drug effort, and what percentage of the grant covers your operation? It is okay if you do not know it.

Mr. Ponce: It depends. If we can utilize grant money for operations that fall under certain criteria, we utilize all of the grant money. We do have budgeted money from the County for operations, also. So we use both. It depends on what type of operation and certain criteria, but we use both the HIDTA and County money.

Councilmember Chock: Is it under a specific budget line item? I am trying to forecast as we look towards the next budget and balancing it, and continue to provide the services that you folks could currently provide, where that funding is held?

Mr. Ponce: That is hard to predict. In general, for investigations, normally we look at about three hundred thousand dollars (\$300,000) as our fiscal-type operations for overtime or other salary expenses, and out of those, a portion is used on the Vice Section, a portion would be by the Detective Section, so it really depends each year case-by-case on what that amount is, but in general, a minimum of three hundred thousand dollars (\$300,000) is set aside for investigations, including the Vice Section.

Councilmember Chock: Thank you. My last question is, when I read about drug trafficking areas, are these targeted to specific identified areas that you folks have determined.

Mr. Ponce: It is basically the entire island.

Councilmember Chock: Okay.

Mr. Ponce: When we get into specific areas, it really depends on who the potential target is, but it is the entire island. The goal is to keep the island balanced and safe. Unfortunately, it boils down to addiction. I always bring it up, because once we uncover a big drug operation and do a bust, someone else pops up. We have drugs coming in by air and sea, and it is this constant need and addiction we have in Hawai'i on Kaua'i, that we are battling the need for the drugs to be coming into the islands.

Councilmember Chock: Thank you, Bryson.

Council Chair Kaneshiro: Councilmember Kualii, then Councilmember DeCosta.

Councilmember Kualii: *Aloha*, Assistant Chief Ponce.

Mr. Ponce: Good morning.

Councilmember Kualii: Thank you for being here and for your presentation. On your second or third slide, you talked about the HIDTA Hawai'i overall budget and you said, "Three million six hundred thousand dollars (\$3,600,000)." What is the period for that budget? The current Fiscal Year for the State is July 2020 to June 2021.

Mr. Ponce: Yes.

Councilmember Kualii: This funding of one hundred forty-seven thousand dollars (\$147,000) that you are asking for, is this our only ask for this budget cycle on the three million six hundred thousand dollars (\$3,600,000)?

Mr. Ponce: Yes.

Councilmember Kualii: I calculate that to be four percent (4%). As the County, can we get more of that three million six hundred thousand dollars (\$3,600,000)?

Mr. Ponce: We would love more. The money is split between every law enforcement entity in Hawai'i. There are times where if there are any surplus or extra funding, the executive board, which our Chief sits on will analyze the need for a specific operation or need for the specific department, and may allot more money. So there are opportunities in that area as well.

Councilmember Kualii: Is this on an allotment? Can we only ask for this maximum amount?

Mr. Raybuck: Thank you, Assistant Chief Ponce. Councilmember Kualii, this is Chief Raybuck, for the record. The three million six hundred thousand dollars (\$3,600,000) that Assistant Chief Ponce mentioned is distributed across the State. There are multiple HIDTA groups in the State. I believe O'ahu has four (4), maybe five (5). Maui has two (2), Hawai'i Island has two (2), and Kaua'i has one (1). So these funds are designated—the three million six hundred thousand dollars (\$3,600,000)—is the full budget for the HIDTA operation, which includes staff, fringe, it includes all of the rental—it includes all of that. So a portion of those funds also include the HIDTA funds, such as we have received today. The budget for HIDTA is based on the Federal Fiscal Year, not the County's Fiscal Year, so their budget line is from November to November in the Federal system. The one hundred forty-seven thousand dollars (\$147,000) that we are receiving is a portion of that budget. In the past, we have received additional moneys and we could potentially receive additional moneys based on requested needs and funds that are available from that budget, but that is all distributed and determined based on the needs across all of the different task forces in the State. I hope that answers your question.

Councilmember Kualii: It does, but maybe you could provide—the State has it, I am sure—the numbers, as far as the amounts that are being granted to all the different enforcement entities, because I just want to see, compare, and make sure we are getting our fair share. If we can, based on requests and our needs, I would like us to request more, because I am sure you can use it. Thank you.

Mr. Raybuck: I can get that information to you, Councilmember Kualii.

Councilmember Kualii: Thank you.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: *Aloha*, Chief Raybuck and Assistant Chief Ponce. Thank you, for keeping Kaua'i safe. Normally, we do not give enough praise to the Administration. I would like to say on behalf of the Councilmembers here, thank you for keeping us safe. I have the same question as Councilmember Kualii, so I will not mimic what he said, although I did some number-crunching now, and it looks like your overtime budget per month is about eighty-five thousand dollars (\$85,000), am I correct?

Mr. Ponce: That was just an example of a major operation.

Councilmember DeCosta: Okay, but if we would do some of those operations throughout the year, that budget could be multiplied by twelve (12), which is almost one million dollars (\$1,000,000), so I am going to "piggy back" on what on Councilmember Kualii said, that we would love to advocate for you folks and be able to get a "bigger piece of the pie," so we can continue to do great things on Kaua'i. Thank you very much.

Mr. Ponce: Thank you.

Council Chair Kaneshiro: Councilmember Cowden, then Councilmember Evslin.

Councilmember Cowden: Thank you for all the work that you do. I have just a couple simple questions. I am looking at the numbers of how much we have recovered in drugs, but are you seeing an increase in addictive behavior? Being able to capture it and observing it, how are your numbers of comments/calls coming in for problems? What are your observations? Is it getting worse in the COVID-19 window or is it remaining relatively the same?

Mr. Ponce: That is a tough question. I really have not analyzed the specific crimes such as car break-ins, assaults, relative to drug use or drug addiction. Overall, a lot of dependency is upon how much we can deal with the addiction, some of them are with partial interdiction, but there are times when things get through and we see more activity, some crime increases. Most of the property crime we have, when I say it increases is linked to drug usage/drug addiction. Overall, in COVID-19 times, the calls have gone down, but it is not to say that there are not still crimes happening based on the current population that we have, without the tourist population being on island.

Councilmember Cowden: Okay, thank you. I would also wonder if some of this money funds Crime Stoppers, and if you could speak to crimestopperskauai.org, because I get a lot of calls, particularly along the bike path in Kapa'a, where they say, "The drug dealing is so obvious and out in the open, and by the time people call and the police come, how can you catch it that fast, right?" You cannot just park an officer there, so can you explain Crime Stoppers, because if I understand it correctly, if people take pictures or put information out, that you folks can follow-up on it. Does Crime Stoppers help with that situation, when people are observing routine dealing? That is what I am getting a lot of calls on.

Mr. Ponce: The majority of the Crime Stoppers tips...Crime Stoppers, just to recap, is an anonymous program. We do not know who the caller is, they provide information that could lead to a further investigation or arrest—all of that is anonymous. The majority of tips we get through Crime Stoppers are drug related. Our Vice Section and sometimes Patrol Section, as well, does a lot of follow-up from the Crimes Stoppers tips, so it is a valuable program in which people can feel safe in reporting these types of drug activity and for us to follow up on.

Councilmember Cowden: Okay, thank you. I think it is important for people to know, because they do not have to call the Police, they can file it with Crime Stoppers, if they are afraid to make comments. I just want to make an observation. Honestly, I am pleased to see that cannabis is not on your list of drugs recovered, does that mean there is a lowered emphasis on interdiction on marijuana or cannabis? It seems like it is a less violent or problematic drug. What is the stance on cannabis this year?

Mr. Ponce: Let me start by saying, we have a different grant for marijuana. We still do marijuana enforcement, because contrary to popular thinking or difference of opinions, marijuana is a gateway drug that we see used and found a lot in our hardcore drug investigations, so we do enforce when we have any prosecutorial with marijuana, any illegal grows, any violations of Department of Health guidelines for medical marijuana on private property, in which our helicopters might see forty (40) plants on a five thousand (5,000) square foot lot, come to find out they only have one (1) permit, so marijuana is still an issue. It is still something that is very potent that a lot of our youth and some adults do not realize the affects that it has. We have seen people "go off the deep end," and in their system was high doses of marijuana.

Councilmember Cowden: Thank you for your feedback, it is helpful.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: Thank you, Chair Kaneshiro. Thank you, Chief Raybuck and Assistant Chief Ponce, for the presentation and for the work you folks are doing on this front. Just a follow-up to Vice Chair Chock and Councilmember

Cowden's questions. Assistant Chief Ponce, you have mentioned that as you folks make a bust, often someone ends up filling that void, because of the rising or steady addiction on Kaua'i. Do you folks have any data on long-term trends over these types of drug use, whether we are trending in the right direction or not trending in the right direction and if you could share any of that data.

Mr. Raybuck: Councilmember Evslin, Chief Raybuck for the record. I appreciate the conversations, especially regarding what does the problem on Kaua'i look like for drug addiction and the trends that we are seeing. The Kaua'i Police Department is not set up to actually analyze and identify what the addiction rates are in the County—that is not part of our *kuleana*—we do not have the resources to do that. What we try to do is look at the trends, as Assistant Chief Ponce mentioned about the levels of seizures we are seeing, the different types of seizures, drug activity ebbs and flows, sometimes methamphetamine may be the topic or “flavor” of the day, so we will see an increase in methamphetamine, other times it may be heroin. So those all flex, depending on the consumer and what is available and things like that. So, we do not have those types of data, because it is not something that we do. The High Intensity Drug Trafficking Area does put together an annual report that broadcasts and identifies what trends we are seeing in the State of Hawai'i and how that compares to the nation. I do not know exactly if the most recent one has been published at this time, but I certainly can obtain and distribute that for you. If I may, just to follow-up on Councilmember Kualii and Councilmember DeCosta's questions regarding budget. I did pull up the Fiscal Year 2021 HIDTA budget, just to give you an example. The funds of three million six hundred thousand dollars (\$3,600,000) is distributed across the entire State. It was an increase from the previous year of three million two hundred sixty-nine thousand dollars (\$3,269,000), so we did get an increase from the Federal government for our HIDTA activities. Those funds are distributed to many different agencies throughout the State, including Honolulu Drug Enforcement Agency (DEA); the United States (US) Marshal Service; Alcohol, Tobacco, Firearms, and Explosives (ATF); the Hawai'i Attorney General's Office; and the County, as well as others—that is based on each one of those organizations' roles in the drug trafficking investigation role that we serve here in the State. To put it in perspective, Honolulu obviously gets the lion's share of the drug trafficking funds at about forty-four percent (44%) of the budget. The Hawai'i Attorney General's Office gets about twenty-six point seven percent (26.7%) for their budget. Maui County gets seven point fifty-five percent (7.55%). Hawai'i County gets six point seventy-three percent (6.73%), then as was highlighted earlier, we get four point eleven percent (4.11%) of the budget. So that is the breakdown of how that budget works out. As was earlier mentioned, this one hundred forty-seven thousand dollars (\$147,000) is our annual allotment from HIDTA based on that budget. Through the year though, we may go back and request additional discretionary funds or if another HIDTA group is not expending their funds, there are opportunities, at times, for us to request additional moneys to support our efforts. So I hope that answered your question.

Councilmember Evslin: Thank you, it certainly answered my question, Chief Raybuck. I have another, maybe not so quick follow-up. I know this gets at things that are much larger than under your authority here, but as far as trying to reduce those overall trends of drug addiction, what is the bigger picture strategy here, and what do you think is needed in trying to bend that curve downwards? Again, I totally understand that so much of this is socioeconomic concerns, in-patient/out-patient treatment facilities, et cetera. While we have you folks here and this opportunity to have this dialogue, your quick thoughts on how we can bend that curve downwards.

Mr. Raybuck: Fighting drug addiction is a three-legged stool. One of those legs is enforcement and that is where we come into play, obviously, and that is what we are talking about today. The other two (2) legs are prevention and education. I would love to see where we have a greater footprint and prevention and education. I am sorry, there is a fourth leg as well, and that is treatment, right, because we have to help assist those who have already slipped into addiction. So it is enforcement, prevention, education, and treatment, that helps us fight our substance abuse problems here on Kaua'i. What we do not have is a consistent and large enough footprint—in the State, as a matter of fact, not just on our island—to address all four (4) of those legs. I would love to see us continue to increase...drug addiction and substance abuse prevention and treatment has been a big part of my career. As many of us on this island and many of us sitting here today, we know family and friends that have been ravaged by addiction and it is a horrible life to have to go through—that would be the appropriate way to address it. Hopefully, we will see more efforts in those four (4) arenas as we move forward.

Councilmember Evslin: Thank you, Chief Raybuck and Assistant Chief Ponce.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: Just a quick question. Listening to the entire conversation, where in this whole conversation could we address the youth part of it or the teens? To me, that is a big part. What is that percentage? A lot of our young people are going through some challenging times, like everyone else, but I wanted to get an idea of that portion of this discussion for focusing on resources for the teens that are experiencing all of these challenges right now.

Mr. Raybuck: I will let Assistant Chief Ponce chime in, in just a minute, if he has any additional information. Thank you for your question. Starting early in prevention, before someone gets into the life addiction is the most important key in preventing it in the future. Studies have shown that if we can keep our youth from experimenting with and using drugs before the age of twenty-five (25), the percentage of them that go on to addiction is almost zero (0). So, if we can continue to utilize prevention efforts in the schools, in our communities, to address our youth, and

ensure that they get a message that substance abuse leads to addiction, and addiction leads to life-long problems, we would be much more successful in reducing the number of drugs. Unfortunately, today, we see a significant market in competition on people who continue to push addictive drugs, whether that be alcohol, tobacco, and marijuana—all of those different types of drugs towards our youth and messaging our youth, making them believe that these substances have some sort of value for them in their young age group. So characterizing that over the years, as you know, the Office of National Drug Control Policy (ONDCP), which funds HIDTA, has embarked upon media campaigns. Over the years, those campaign funds have been reduced at the Federal government level, and certainly we do not have any State level that I am aware of, that targets that. One of the things that we could and should continue to embrace are the nonprofit entities. I apologize to you, we would be better at highlighting and identifying what those nonprofits are, but there are a variety of nonprofits throughout the State that target our youth and ensuring that they deliver those drug abuse or substance abuse addiction messages to those youth that do not have any before me today, but certainly partnering with Department of Education (DOE). I think our Kaua'i Police Activities League (KPAL) program, when it is up and running, assists us in reaching our youth and encouraging better behaviors to try to prevent them from going into an addiction down the line.

Councilmember Carvalho: Thank you for that. Again, in general terms, I think, whatever we do, whatever funding we can secure, that we have that allotment set aside there every step of the way, because it is important that we connect everything like that, for me. Thank you for your work.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: Chief and Assistant Chief, thank you for all you do. I am not here to question anything. I am here to give some support and maybe some “out of the box” thinking. You know, you have a Councilmember here, and also a twenty-year veteran of the Department of Education. There have been a lot of negative things that came out of COVID-19, and there are a couple of positive things. I remember being a teacher at Waimea High School, you folks would send an officer out to do some kind Drug Abuse Resistance Education (DARE) for the kids. That was good and costly, because they needed to go to each school with each body, but now virtually, we could come up with a virtual media attention on how to deter children from drugs in an educational and prevention plan that one (1) person can do. We can encourage the DOE to spend five (5) minutes out of their virtual curriculum with the online learning, especially for our middle and high school kids, where we can service the entire island from west to north with one (1) officer doing a five-minute presentation on how bad drugs can affect them, and we could be more competent at delivering our message to the Police Department now, than we did before. Thank you and please take that suggestion.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I want to acknowledge Councilmember Evslin's comment about how important a holistic approach is. I realize this HIDTA grant is focused on the high intensity drugs, so I appreciate what Assistant Chief Ponce told us about how we can track some of the drug use of those by how much crimes. I want to add that, while we see marijuana at problem areas as a gateway drug, I would argue that alcohol is as well, as are prescription drugs. I am happy to be working with the Police Department in whatever way we can assist you all at finding moneys for some of this holistic evaluation, because I know even as a substitute teacher in elementary school, I see children prescribed amphetamines, like Ritalin, and I have second graders on Ritalin, and when we see high school and college students on Adderall, sometimes we end up...I am asking, it seems like this has an economic factor to it that people are self-medicating. I want to turn this into a question. I want to be able to ask you folks, how can we help? Relative to how alcohol, marijuana, and prescription drugs are also part of what is the feed into this problem—youth and adults.

Mr. Ponce: Good point, Councilmember Cowden. It starts in the family, in the household. It starts with tolerance to not be able to allow your kids to be drinking and say, "You are eighteen (18) years old already, at seventeen (17) years old you are a senior, go ahead, have a beer with me." "You are smoking *pakalolo*, you are not doing ice, so I am okay with that." It really starts with good fundamentals in the household with not being tolerant of alcohol and marijuana that leads to harder drugs. It translates into an adult lifestyle of a tolerance, that when I drink and use cocaine, but I am not smoking ice, so it is okay. It really starts fundamentally with each person on this island, within each family, to be fundamentally looking at what is bad and what is addictive behavior. Good point, but it starts within the home.

Council Chair Kaneshiro: Are there any further questions from the Members on this item? If not, I will call this meeting back to order. Is there any final discussion from the Members on this item?

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

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

The motion to approve C 2021-07 was then put, and unanimously carried.

Council Chair Kaneshiro: The motion passes. Next item.

C 2021-08 Communication (12/02/2020) from the Chief of Police and Bryson Ponce, Assistant Chief of Police, Investigative Services Bureau, recommending Council approval to enter into a Memorandum of Agreement (MOA) with the American Society of Crime Laboratory Directors (ASCLD) Domestic Accreditation Task Force, to seek international accreditation of the Kaua'i Police Department Crime Scene and Laboratory Unit, and to indemnify, hold harmless, and defend the ASCLD, its elected officials, officers, employees, and agents from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by or arising out of the tortious conduct of the ASCLD or its elected officials, officers, employees, or agents.

- Memorandum of Agreement Between the Kaua'i Police Department (KPD) and the American Society of Crime Laboratory Directors (ASCLD) Regarding the ASCLD Domestic Accreditation Task Force (ADATF) and the KPD Crime Scene and Laboratory Unit (CSLU)

Councilmember Kualii moved to approve C 2021-08, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions from the Members on this item? I will suspend the rules. Councilmember Cowden.

Councilmember Cowden: Again, I appreciate all the varied and professional work that our Kaua'i Police Department is continuing to get stronger at. I am hoping that we can get a brief review of what our Crime Scene Investigators are doing and what this Memorandum of Agreement signifies. Thank you.

There being no objections, the rules were suspended.

Mr. Ponce: I will turn it over really quick to our criminalist Stephanie Regan, for a brief overview.

STEPHANIE N. REGAN, Criminalist II (*via remote technology*): Good morning, Council.

Councilmember DeCosta: Good morning.

Ms. Regan: A quick overview of what we do as the criminalist and crime scene and laboratory section, is that we respond to different incidents throughout the island. Most notably, major incidents. We perform evidence collection and full documentation of the scene. Our unit has come a long way within the last few years with the support of our County and County Council. We have been able to expand our offerings to include 3-D imaging of crime scenes to include on-scene chemical processing to determine what kind of chemicals might be present. We do rapid

DNA analysis to save time and money, in order to get rapid intel on possible DNA leads to the community and to the investigators, as soon as possible. We do a lot of fingerprint development and analysis, as well. That is basically the groundwork of what we do. As far as this memorandum, I know I presented about a year and a half ago, this is a continuation of the Memorandum of Agreement with the American Society of Crime Laboratory Directors. We have been working with them for about a year and a half, and they provide us support on our goals of becoming an accredited crime scene and laboratory section. We are hoping to apply within about the next year to the American National Standards Institute (ANSI) National Accreditation Board (ANAB) for accreditation. Basically, what that does is a review of validation of all of our procedures, the way we operate, and our quality assurance measures that we have to show that we are holding the highest standards in the nation in the services that we provide to the community. So ASCLD is helping us out in providing reviews, going through all of our documents and procedures, and all of those things at no cost to the County, and able to mentor us to actually become that accredited laboratory. So that is what this agreement is and what it holds.

Councilmember Cowden: Thank you. When we get that accreditation, will that help us in lawsuits in protecting our County positions and getting grants?

Ms. Regan: Yes, all of those things. It helps us when we go to court for a criminal case. It also helps us defend our practices and procedures if we were to come under litigation. It is also a way to prove to grants that our practices are up to the potential that they deserve further funding.

Councilmember Cowden: I think another side aspect of that is when the integrity of our department is called into question, the evidence becomes much stronger and irrefutable.

Ms. Regan: Yes. Part of it is, if it comes into question it helps defend those practices, but also part of the forensic science accreditation, is a large emphasis on the control of possible bias in any of our procedures and anything that we do, and making sure that all of those are up to best practices. So, both from the defense and litigation side, but also to give us the best practices that can ensure that we are doing things in an unbiased and scientifically-sound method.

Councilmember Cowden: Thank you for protecting both the citizens, the County, and the police officers. I appreciate it.

Council Chair Kaneshiro: Are there any other questions from the Members? I just had a quick one. Is there a cost, if or when we get accredited?

Ms. Regan: Yes. The cost for the application—I think we ended up doing the full package, which was around twelve thousand dollars (\$12,000)

to fourteen thousand dollars (\$14,000), depending on how many people they needed to send out for the accreditation. The application and for them to come and do an on-site accreditation assessment was around twelve thousand dollars (\$12,000) to fourteen thousand dollars (\$14,000).

Council Chair Kaneshiro: If or when we get accredited, will there be an annual cost related to it or do they need to come out annually to recertify? What is that process?

Ms. Regan: They have to come out every three (3) years. So there is a cost. It usually is every three (3) years and it is a reduced cost, so you only pay for the on-site visits after that.

Council Chair Kaneshiro: Okay, thank you. Are there any further questions from the Members? If not, I will call this meeting back to order. Is there any final discussion from the Members? Chief Raybuck, did you have a question or comment. I will suspend the rules.

There being no objection, the rules were suspended.

Mr. Raybuck: Sorry, I raised my hand earlier to provide you the budget information and I will be honest and tell you I forgot to lower my hand, so I think that works now. Thank you for involving me.

Council Chair Kaneshiro: Okay, thank you. I will call this meeting back to order. Is there any final discussion from the Members? Councilmember Cowden.

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

Councilmember Cowden: I just want to say, especially in this year where there is a lot of scrutiny on police departments across the country, and it certainly is a very important issue to me that we have a police department that is in the highest integrity. I appreciate all the effort that has been made to have appropriate use of force training, and this is one more area where I believe we are protecting the public and the integrity of our police department. So it helps me to have confidence in what we have as a police department, so I know it costs a little bit, but I think it is really important that we are operating in the highest of integrity.

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 2021-08 was then put, and unanimously carried.

Council Chair Kaneshiro: The motion passes. Next item.

C 2021-09 Communication (12/02/2020) from the Director of Economic Development, requesting Council approval to indemnify Leidos, Inc. and the State of Hawai'i pursuant to Hawai'i Energy's Application Terms and Conditions, as the County moves to request a rebate for the installation of five (5) dual level II networked electronic vehicle chargers, which were recently installed at the Līhu'e Civic Center. The rebate is through Hawai'i Energy and would provide \$4,500.00 per dual charging unit, for a total of \$22,500.00.

Councilmember Kualii moved to approve C 2021-09, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Do we have any questions from the Members on this? If not, is there any final discussion from the Members? Councilmember Cowden.

Councilmember Cowden: I just want to acknowledge that we are doing a good job moving towards energy-efficient vehicles, and that we are doing our best getting the paperwork done to get our budget reimbursed wherever possible. Good job that we have it.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: I just want to echo Councilmember Cowden and say good job to Office of Economic Development (OED) for applying for this. Also, I am excited to see some of Hawai'i Energy grant money available on Kaua'i. As I have an O'ahu business, I have a fair amount of experience with Hawai'i Energy and they do an amazing service for O'ahu; it guided people to energy efficiency, and providing a lot of great funding. Unfortunately, I believe it is normally funded through Hawaiian Electric Industries, Inc., so a lot of those services are not available on Kaua'i and we are missing out often on some of the great offers they have. It is good to see that this was State funded, so we can apply for it. I briefly looked through it and it looks like the application period might be open until the end of the year, so other businesses or anyone doing electric chargers could get a rebate through Hawai'i Energy. So for anyone watching, try looking into it, maybe you still have an opportunity there to get a similar rebate here. It is good that we are going forward on this.

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 2021-09 was then put, and unanimously carried.

Council Chair Kaneshiro: The motion passes. Next item.

C 2021-10 Communication (12/03/2020) from the Executive on Aging, requesting Council approval to receive and expend a total of \$137,636.00 in State General Funds for State Fiscal Year 2021, and to indemnify the State Executive Office on Aging; funds will be used for the provision of Kūpuna Care and to support Aging and Disability Resource Center (ADRC) operations, which includes staff development, outreach, awareness, education, and collaboration with the No Wrong Door (NWD) Network.

Councilmember Kualii moved to approve C 2021-10, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions for Kealoha? I will suspend the rules. Councilmember Cowden.

Councilmember Cowden: Hi, Kealoha. The No Wrong Door Network is an example of what the Agency on Elderly Affairs does so well. Briefly, can you explain? I think this is something that we need to be able to do in other departments, because that has been a crisis in this COVID-19 window. By the way, thank you for offering up assistance on the phone for people who are particularly depressed because they cannot get through to a solution, so your department is helping beyond just elderly, at this point. No Wrong Door is great. I want you to speak to that a little bit and if you can, mention how you are helping with any age, at this point.

There being no objections, the rules were suspended.

Ms. Takahashi: Thank you, Councilmember Cowden. This is Kealoha Takahashi, Executive with the Agency on Elderly Affairs. The No Wrong Door Network was established with the Executive Office on Aging. This is done statewide with all of the counties as part of our aging and disability resource center. Hawai'i has several agencies that offer a range of services and support for individuals with disabilities in older adults. However, in many cases, many individuals must contact multiple agencies to find all the support that may help them, so this becomes even more complicated if more than one (1) family member needs assistance. The goal of the No Wrong Door effort is to make it easier for individuals with disabilities and chronic conditions to access all long-term services and support they or their family members are eligible for regardless of which agency they contact first. Prior to this effort, each agency focused primarily on helping people access their services that their agency offered, and staff had limited awareness of what other agencies offered. The No Wrong Door initiative recruited agencies providing long-term care and support services to be part of this network. We developed policies and procedures so that staff understands the range of support offered across all of Hawai'i's agencies, and they can more readily and easily make and track status of referrals to other agencies. So they put in place a referral system that we can log on to and make referrals to agencies like Adult Protective Services, Adult Mental Health Division, Assistant Technology Resource Center, of course, the other Aging and Disability Resource Centers for the Elderly Affairs Division on O'ahu, the Hawai'i County Office on Aging, and the Maui County Office on Aging. Also, make referrals to centers for independent living, children with special health needs branch, Developmental Disabilities Division, the Division of Vocational Rehabilitation, including Ho'opono Services for Blind and Visually Impaired, our

Executive Office on Aging, Med-Quest Division, health plans like Aloha Care, United Health Care, and 'Ohana Health Care, Office of Veterans Services, and the Veterans Health Administration. That was the concept of the No Wrong Door Network. Here on Kaua'i, because our staff is really familiar with the staff of all the other agencies, when we receive a referral, normally, what they usually do is to call the person, because they have a familiarity with the staff person from the other agency. In a nutshell, that is what the No Wrong Door Network means. As far as Councilmember Cowden's request about the mental health issues, we received a grant that my staff member, Emily Medeiros, has partnered with Work Life Hawai'i to provide counseling services for those that need to talk to a professional, just to talk about issues they need to discuss. This is open to anyone, it is not only for elders, but anyone needing to talk to someone, who is a professional counselor and they can call our office at (808) 241-4474, and we will give them the number to call for a counselor.

Councilmember Cowden: Thank you.

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

Councilmember DeCosta: *Aloha.*

Ms. Takahashi: *Aloha.*

Councilmember DeCosta: Thank you for all you are doing. I wanted to ask you about this one hundred thirty-seven six hundred thirty-six dollars (\$137,636). How many people in the office are directly affected by this funding that comes in that does these types of services?

Ms. Takahashi: We have seven (7) of our staff that provide these services. This would be what we call our information referral staff. We have five (5) Aging and Disability Services Technicians that are out in the community and they service different parts of the island. Then we have services who keeps track of data. We have data information of any senior who has registered with us from sixty (60) years and older. We keep track of all the calls that come in of services that we provided to our consumers. We have a Program Specialist, who overlooks this program. Basically, as I have mentioned, we use a lot of it for development to help our staff in being able to do a person-centered approach or assessment. Person-centered meaning that when a consumer calls us, we look into ways of what their needs are and what they say that they need, then we link them to the services that we have. We provide awareness education to the staff members, and the cost also involves a lot of national conferences that gives us training for staff members, which gives us new insight on programs that are appearing across the nation.

Councilmember DeCosta: Thank you. I just had one more question. Does your labor costs and hours budgeted for your workforce of your seven (7) employees come out of this one hundred thirty-seven six hundred thirty-six dollars (\$137,636)?

Ms. Takahashi: No. There is only one (1) person that the money would come out from.

Councilmember DeCosta: So everything else is part of their scope of work that they are doing throughout the day and these responsibilities are incorporated in this budget, correct?

Ms. Takahashi: Yes.

Councilmember DeCosta: Okay, thank you.

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

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

Councilmember Cowden: As we acknowledged earlier, Kealoha received a national award because of the excellent work they do. I think this No Wrong Door Network is an example of what we need to be integrating in another area of our County. I think, when we look at the increase of mental illness, drugs, all this stuff is related, and I know, myself, and Vice Chair Chock, we have been working where we are dealing with depression and suicidal behavior. But situational depression is best addressed when the situation is corrected and in the County, we need to have something like what the Agency on Elderly Affairs does. I am hoping that you or Emily might be able to help a different portion of the Administration, because as we are having more people running out of money, running out of housing, it is getting worse, and I want to see this No Wrong Door Network that is so excellent in this agency get replicated, whether it is a State or County number that people call, we owe it to our people, to give them the care that the Agency on Elderly Affairs is giving their people. Okay, I do not want to say too much, but this is a big deal. Thank you, Kealoha, for the great work you are doing. We need it more broadly, so we need to look at this excellent example.

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 2021-10 was then put, and unanimously carried.

Council Chair Kaneshiro: The motion passes. Next item.

C 2021-11 Communication (12/03/2020) from the Emergency Management Administrator, requesting Council approval to receive and expend State funds, in the amount of \$150,000.00, 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 two (2) existing Kaua'i Emergency Management Agency staff positions who are necessary to support day-to-day prevention, protection, mitigation, response, and recovery activities.

Councilmember Kualifi moved to approve C 2021-11, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions from the Members on this item? I will suspend the rules. Councilmember Cowden.

Councilmember Cowden: Thank you, Elton, Emergency Management Administrator, for being on here. Did you hear what we were just speaking about with the No Wrong Door piece with the Elderly Affairs?

There being no objections, the rules were suspended.

ELTON S. USHIO, Emergency Management Administrator (*via remote technology*): Elton Ushio, Emergency Management Administrator. I caught the tail end of that, Councilmember Cowden, as I was not seated at my desk just yet.

Councilmember Cowden: Okay. I appreciate all the work that you are doing. My presumption is that these State funds are to continue your existing responsibilities that are happening at the Emergency Operation Center. Is that correct?

Mr. Ushio: Under the Emergency Management performance grant program, it supports our ongoing operations that would have been in place even without the COVID-19 disaster or other disasters. So there are these two (2) positions that we are supporting that would have been here regardless of those things, so yes, they are ongoing for standard things we do.

Councilmember Cowden: Okay. When people call the Emergency Operation Center (EOC), sometimes with these broader questions that are COVID-19 related, is that funded differently?

Mr. Ushio: Right now, our response structure is quite complicated versus what we normally would be doing. We have Kaua'i Emergency Management Agency (KEMA) positions that are funded by the General Fund, these two (2) that are Emergency Management Performance Grant (EMPG) funded. We are augmented with some of those legislative moneys that will be coming up later today in the Council Meeting. Act 12, turned Act 35, turned Act 9. We have Coronavirus Aid, Relief, and Economic Security (CARES) funded positions, and we are even augmented by incident management team members from other entities, such as the State Department of Health, and we currently have two (2) call-takers from the Hawai'i National Guard in the EOC. So several different positions, different funding sources supporting COVID-19, and our call center in particular is staffed by a combination of KEMA staff, National Guard, the Department of Health, and an inclusion of other agencies.

Councilmember Cowden: I appreciate all that you are doing. With this No Wrong Door Network, I am hoping that later we can look at that, because some of the onslaught of calls that come in are COVID-19 related, but they might not be as narrow as what you folks receive here. If there is a way that you can be integrated somehow, to helping the distressed in our community get redirected...that is absolutely a result of our COVID-19 policies. Somewhere we have to take responsibility, because a crisis has been created in our community, economically, and somewhere we need to take care of it. So, I am not sure where it happens, but you folks are handling the COVID-19 elements. I get that this grant is not that part, but I do not see any particular grant that we are talking about today that is. So, somewhere, we need to handle that. We can talk later, too, if that is better.

Mr. Ushio: Okay, Councilmember, we can, but let me just say, under our response structure, we do have economic support, and different types of services that are provided. At some point, we could share the response structure with you. I believe our incident action plans should be shared with the Office of the County Clerk, if I am not mistaken. I would be glad to discuss the entire response organization, including the various services that we provide or what have you. Of course, CARES is still being available right now, even though it is winding down, we have done extensive and broad services with that.

Councilmember Cowden: Okay, that would be good. I can make that as a future agenda item, because as we come into more of these challenges that there is not substantial funding to happen, we need to find a way to help our community. It might be good to consider Suicide Alertness for Everyone (safeTALK) training with your department—that is how to speak with people who are stressed to the point where they do not want to continue life or they are getting there. So a number of calls that I have received, I sent to the EOC, and they have been shut down so hard and so harshly, they come back to me in absolute tears and that is what Emily Medeiros in the Agency on Elderly Affairs is trying to help with. When people are at that level of shutdown, there is so much distress that these government criteria that has caused their lives to fall apart, there is no one in the government to even return their call. So we have to address it and we are going to have a different layer of problems and we get trauma that is associated all the way across. Thank you, I will set up an appointment and we can discuss a briefing, perhaps, that can work on a future Council Meeting. Thank you so much for all that you do. I want to acknowledge that you folks are doing great work, so thank you for that.

Mr. Ushio: Thank you, Councilmember. Yes, we will follow up at the right time. I will say that Emily is part of our response structure and organization. She is with us here on multiple days per week. It really is a whole team, whole community, and whole government effort. Thank you.

Council Chair Kaneshiro: It sounds like it may be just directing them to the appropriate body. Maybe they are getting directed to the wrong organization in those types of instances where they are not able to handle it. I think just a conversation with them, as far as who is the appropriate...

Councilmember Cowden: Apparently, there is not an appropriate agency. That is the problem.

Council Chair Kaneshiro: Okay. Are there any further questions?

Councilmember DeCosta: No questions, I just wanted to comment on Elton. Thank you very much for all you folks do. We do not recognize enough that this is a COVID-19 time, where we have never had training or we have never faced this in our country before. So you are treading waters that none of us know how to tread. So thank you, and thank you department for all you folks do.

Mr. Ushio: Thank you, Councilmember.

Council Chair Kaneshiro: I have a quick question. The grant has a three-year performance period, is that specific for the one hundred fifty thousand dollars (\$150,000) for this Fiscal Year or do we receive it every year?

Mr. Ushio: Council Chair, this grant has been recurring, where we get this amount every year, it is not necessarily one hundred fifty thousand dollars (\$150,000), the amount can vary, but it is usually around that amount.

Council Chair Kaneshiro: How does the three-year performance work?

Mr. Ushio: In general, we do not necessarily require the entire period of performance, because of salaries and fringe, we just keep rolling and using as needed. Sometimes it may be slower, if the positions become vacant, but we do our best to make good use of it. In general, we fully utilize those funds.

Council Chair Kaneshiro: Okay. Are there any further questions from the Members? If not, I will call this meeting back to order. Is there any final discussion from the Members?

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

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

The motion to approve C 2021-11 was then put, and unanimously carried.

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

C 2021-12 Communication (12/03/2020) from the Emergency Management Administrator, requesting Council approval to receive and expend State funds, in the amount of \$457,626.46, from the State of Hawai'i, via Act 9, Session Laws of Hawai'i 2020, for disaster relief and mitigation, as a result of the heavy rains and flooding that occurred in April 2018.

Councilmember Kualii moved to approve C 2021-12, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions from the Members? I will suspend the rules. Councilmember Kualii.

Councilmember Kualii: Aloha, Elton. When we received a report on the thirty-eight million dollars (\$38,000,000) prior, we received a breakdown of how the moneys were expected to be expended, can you tell me how this four hundred fifty-seven thousand dollars (\$457,000) will be expended?

There being no objections, the rules were suspended.

Mr. Ushio: Councilmember, our Managing Director Mike Dahilig is on this call and he will take point on this item.

MICHAEL A. DAHILIG, Managing Director (*via remote technology*): Good morning, Councilmember Kualii. This is Mike Dahilig, for the record. As we have been trying to sort out the succession of the different forms of moneys that have come in, it was a bit of a surprise of what was actually appropriated by the legislature in changing the method of funding for the funds that we previously came to you under Act 35. Actually, it has been rounded up to a round number of thirty-nine million dollars (\$39,000,000) as compared to thirty-eight million five hundred thousand dollars (\$38,500,000). At this time, we are simply using the Contingency line item that was earmarked in the previous request to the Council to add the four hundred fifty-seven thousand dollars (\$457,000) to that particular contingency item. There are a number of moving parts that we are looking at, with respect to how those funds have to back stop some of the other projects or may result in other items that may come up as part of the overall flood response and mitigation efforts, but at this time, we are not looking to specifically earmark the four hundred fifty-seven thousand dollars (\$457,000) to a specific project.

Councilmember Kualii: As a follow-up, with regards to the total pot of money then, so you are saying the four hundred fifty-seven thousand dollars (\$457,000) will be added to the thirty-nine million dollars (\$39,000,000), so all of that money...what

are our requirements on when we have to expend it and how are we doing in expending it?

Mr. Dahilig: The thirty-nine million dollars (\$39,000,000) has a myriad of very different projects that have been set forth as potential points of expenditure. Where we are going at this point is looking at trying to spend a large amount of money in the Hanalei and Wainiha areas through grants that would go to nonprofits to implement various things ranging from studies, all the way to additional stream clearing. The moneys are also earmarked for the reinforcement and the upgrading of the Waimea levee—that is the big ticket item that we are currently in progress and discussions with the United States Army Corps of Engineers to enter into a technical assistance agreement that would facilitate the technical engineering support that is necessary to expend those moneys in a manner that will bring that levee in compliance with current Federal flood standards and also make sure that area that is currently susceptible to having to get flood insurance, which is also a related item in the agenda later on for you folks today, would no longer be required. So that is one thing that we also want to continue to pursue with the Army Corps as a technical assistant side. At this point, we believe, based off of the way the law is written are encumbered, because they have been transferred to the County in a direct wire, so there is currently thirty-nine million dollars (\$39,000,000) that we hold in hand for that expenditure and is not as a reimbursable type of situation, unlike some of the other Federal moneys that come in as grants. So, we actually do have this money in hand in the County treasury, but given that we had only received authorization for thirty-eight million five hundred thousand dollars (\$38,500,000), we needed to come to you folks as a cleanup matter to add the four hundred fifty-seven thousand dollars (\$457,000) into the contingency item to make whole the authorization from the Council.

Councilmember Kualii: Thank you. My last thing is not really a question, but I just want to make a point to you and if you could make note of it. I have been hearing from individuals who have a nonprofit organization in Anahola with concern about the river cleanup. They said that they heard from people in the State, as far as river cleanup in Anahola, that it was all completed and Public Works had done some work on the river *makai* of the highway bridge, but they are expressing that there are still issues *mauka* of the highway bridge. So just to put that in your list. When we had talked prior about the north shore focus it would include Anahola. Just to give you that. Thank you.

Mr. Dahilig:

Thank you, Councilmember.

Council Chair Kaneshiro:

Councilmember Cowden.

Councilmember Cowden: Thank you so much. I have two direct requests. One is, can we be resent the commitments for the thirty-eight million five hundred thousand dollars (\$38,500,000) earmarks. I would like to be looking at that. I have had

a lot of focus on this topic. Just this weekend and the last two (2) weeks there is a property on the Hanalei River that is about ten-feet from being washed out. The Thanksgiving flood quoted about that much more towards the erosion on the riverbank. About a year ago, we approved a Resolution for moneys to fix that embankment, but somehow it did not make it through the County permitting process. I have raised that issue a few times, even in this past month. It happens to be about four hundred thousand dollars (\$400,000) that they need to fix. The homeowners would have to be paying more money, but they had received this grant and it was lost in the process of going through the County. There are so many areas along the Hanalei River, at least three (3), where we are close to jumping the bank, it could be any next storm. So, it feels divine that there is this money, because we need to help this family fix their property. We made that commitment, they received the money, and we did not get it to them. I want to make sure that particular property, I think it is called, Hanalei Cottages, Inc., but not only for their sake, if the river breaks right there, it will flood the whole commercial district. Where it comes into, the next property is low and floods all the way through along the commercial district on Kūhiō Highway in Hanalei Town. It is more than just one (1) property owner, so we need that help. Just throwing that out there.

Mr. Dahilig: Okay. In response, Councilmember, based on what you are characterizing, I am not familiar necessarily with the issue, so if you could pass along the information, specifically about where there may be an issue with lapse funding that did not meet to the satisfaction of those landowners. I will say though, the moneys that are here are the State Department of Defense's moneys, so unlike the twenty-five million dollar (\$25,000,000) tranche of funding that was given to the State previously under Councilmember Carvalho's tenure as Mayor, this money does not have the degree of flexibility that the twenty five million dollars (\$25,000,000) under Act 12 does provide. Any expenditure of this contingency still would have to be run through the Adjutant General, which is General Hara. Then, what we can do, per your earlier request, is pass along the June 2020 memorandum that we have in terms of lining out the expenditures on behalf of the State Department of Defense that shows how the General has agreed to have us spend the money on their behalf.

Councilmember Cowden: Okay.

Mr. Dahilig: This is a little bit different in just the way that the money is structured. It is not as fluid in our ability to move it towards different priorities. We still need the sign off of the Adjutant General to be able to spend it in a certain manner.

Councilmember Cowden: Seven million two hundred eighty-five thousand dollars (\$7,285,000) is what we have been looking at for Hanalei River. I want to acknowledge that Vice Chair Chock has been assisting me with this in the last week or two. It is an urgent issue. Vice Chair, if you have anything to add, please.

Councilmember Chock: I have a question.

Councilmember Cowden: Okay.

Council Chair Kaneshiro: Vice Chair Chock.

Councilmember Chock: Thank you, Chair. Mike, thanks for coming.

Mr. Dahilig: Sure.

Councilmember Chock: I am going to ask the question again that Councilmember Kuali'i asked. Thank you for resending the breakdown. I think that as we move into rainy season, anxieties are shifting and getting stronger every time a little rain comes down. I am curious, if we can, in addition to the request, get a clearer timeline, as was requested here, in terms of some benchmarks. So much of this has already been slated, particularly for the Waimea River levee and even the gates have been in question recently—we have been receiving calls. Also, Hanalei River has been a big concern in how the waters are flowing and what mitigations we can do sooner than later. So I am curious, if there is a need to put pen to paper, as to how we can initiate these projects, it would be to our benefit. That is what we are hearing from the community. Can that be done?

Mr. Dahilig: I am in the process of pulling up the attachment that I can forward to you folks. What you will notice is that there is a large amount of line items that are earmarked for particularly nonprofit expenditures, between either National Tropical Botanical Gardens (NTBG), Waipā Foundation, people that are assisting the Waioli Taro Farmers, Hanalei Watershed Hui, and the Hanalei Initiative—these folks are similar to what we have looked at in other Act 25 expenditure types of methods, are going to be entering into grant agreements with the County as sub-grantees to further the work. What our anticipation is, we are trying to get a couple of agreements out presently, but the bulk of these agreements, due to the prioritization of Elton's work at KEMA with CARES Act spend-down items, that human resource attention will be shifted towards trying to get out these Act 12/Act 35/Act 9, agreements in January—that is our target date. We have been in contact with the nonprofit groups that have moneys set aside for them, that they should already be preparing their scopes of work and already be reviewing some of the additional documentation that is pre-performal when it comes to our sub-grantee agreements across all of our different County Grant-In-Aid platforms. When you are looking at other moneys that are set aside...the large amount, which is the eighteen million dollars (\$18,000,000) for the Waimea levee, that is something that is...I cannot, at this point, provide a specific timeline, other than it will be a quite lengthy project to implement. So that is why we have already engaged in that discussion with the Corps to help us with this particular type of work, because this is not something our Engineering Division normally undergoes when it comes to specialties with levee

redesign and those types of things. One item that Councilmember Kuali'i did mention, which is about the seven million three hundred thousand dollars (\$7,300,000) in mitigation sub-grants, we envision in conserving discussions with the Mayor and with Representative Nakamura that is handled through some type of community-based program that is run out of KEMA, so rather than the County making the specific earmarks for those sub-grants out of the seven million three hundred thousand dollars (\$7,300,000) pot, that would rely on a community-based process for that type of thing, where applications would come in be reviewed by people from the north shore areas. From a disbursement standpoint, that would come months along rather than immediately. At this point, it is really the nonprofit grants that will be immediately disbursed coming January.

Councilmember Chock: Thank you, Mike. I really appreciate the "see what we need to get done now" approach, given the timeframe we are looking at with the season. Also, I do not want to lose sight of the fact that a lot of this is about watershed management and the need that we have discussed in the past for regional watershed management plans. We have initiated some of that and we need to continue to look at it holistically and make sure the science is behind it in order to make sure whatever we are investing in does make a difference in the long run, but I do think initial needs are there. The second question I have is at the heart of what that bigger need is and whose *kuleana* it is. We have had many discussions about how we are reading Hawai'i Revised Statutes (HRS) and whose jurisdiction it is. I am curious as to how you see this Administration taking on that question moving forward. It is a big question, one that will plague us, if not answered sooner than later.

Mr. Dahilig: It is a tough question. As discussed and as Councilmember Kuali'i alluded to in a previous Council Meeting that we had discussed this item. In the Administration's opinion, it takes a two-way street to have these discussions between the State and the County, then it is a three-way discussion when it involves a private landowner. Obviously, we have certain ways that we are reading the ordinance as compared to the way the State views its overall responsibility and predominately it is the Department of Land and Natural Resources (DLNR) that is in charge of most State lands. We do not believe that the County has maintenance obligation for water courses on State land and we have continued to maintain that position, but as you are probably aware of with other types of situations there has been some actions by DLNR that have not been, in our opinion, less than straightforward when it comes to placing individuals in-between what should be a conversation and a dialogue on how to comprehensively handle these things versus playing a game of "hot potato" or "gotcha." We are open to having the bilateral and trilateral conversations with people across the government apparatus that handle these things, but we cannot, in our opinion, handle being the only agency that is responsible for streamcoarse clearing, it cannot rely on the County alone.

Councilmember Chock: Thank you.

Council Chair Kaneshiro:

Councilmember DeCosta.

Councilmember DeCosta: Hi, Mike. Thank you again. You have a very tasking job, and not an easy one when you need to deal with that much money, and move it around and satisfy the community of Kaua'i. In defense for the last topic, which is freshly on my mind, as far as stream management that Councilmember Chock brought up. I do not know how much experience our Council has, as far as going deep in the mountain and streams, but I know Council Chair Kaneshiro and myself enjoy riding our mules. Sometimes we journey nine (9) hours to Waialae and we pass miles of streams in State areas and it is not that easy to send men with chainsaws from the State to cut the tree that could fall into the river. A lot of times the trees do not fall into the river from the riverbank, they actually have a landslide and come down from further up the mountain. So, I am not saying that I do not believe in the State taking responsibility for that, but it is the reason why the "hot potato" exists—it is not a clear fine line on how to manage those problems. I think, like Councilmember Carvalho, previous Mayor, would say, we need to bridge that gap, we need to work together, we need to get the hard conversation pieces. We cannot put the "hot potato" back and forth. We need to make the decisions to make sure our community is safe. Now, I would like to touch a little bit about Councilmember Cowden's discussion about the Hanalei owner and Councilmember Chock is on that as well. I know a lot of concentrations on the north shore and the funding of thirty-nine million dollars (\$39,000,000) is slated. I have been out there and have visited Waipā. I have seen the stream restorations across Weliweli Gardens and I see a lot of the money and economy benefiting from it—and I agree with that, but remember, that is not the only flooding that had happened and made an impact. Lāwa'i Valley, with the Vegas family who has a small bridge and when the flooding occurred, they cannot cross. Towards the westside, you have the Hanapēpē River. Do you know how many families within Hanapēpē Valley have issues? Then you go over to Waimea, a family lives out there for decades—the Dusenberry family—he has a portion in the Waimea Valley that gets impacted every time a flood happens. So the point I am trying to make is that if we open up where we are going to help that single family, we better be able to help whatever families need the help. We cannot pick and choose which family to help. That is my opinion as Councilmember DeCosta. Thank you, Mike.

Mr. Dahilig:

Thank you, Councilmember.

Council Chair Kaneshiro:

Councilmember Cowden.

Councilmember Cowden: I have several different points, but I will just hit that last one. Councilmember DeCosta, I agree with that—relative to the single family. The single family had received a grant that we approved. We did a Resolution, so the money was coming elsewhere and it failed to move forward because of that. I want to speak to the Waimea River for a moment, because a concern that I have with the levee and I have brought this up when we were talking about the levee and I spoke

with you directly more than a year ago relative to that—the flooding that is happening in Waimea—raising the levee is not going to solve that problem in either place. It is not going to solve the problem in the neighborhood and it will not solve the problem high up. So when we direct eighteen million dollars (\$18,000,000) at raising the levee, it is not going to mitigate the hazards that we have. We discussed that last year, about hazard mitigation plans for that area so that we are actually addressing. My only understanding is, if I am remembering correctly, it will help with their ability to get flood insurance, right? Raising the levee will help with the flood insurance.

Mr. Dahilig: Yes. The way the Federal floods standards are across the nation have been changed...again, it is largely an input as a measure of handling the Federal flood insurance program, so these Flood Insurance Rate Maps (FIRM) are constantly updated, and the science and hydrology behind what is considered appropriate protection, at what base flood elevation as compared to the hydrology of a particular area, are largely dependent on the Army Corps of Engineers in a type of review of these maps on a continual basis. Given when the levee was built many eons ago, as compared to what is now the common best practice in looking at flood mitigation and how these structures affect the base point elevation in areas. It was determined quite a while back that the base point elevation of this area no longer can be at the level that it was set at, based off of the antiquated nature of the levee. Ultimately, as mentioned previously, Councilmember, the State government does have a say, in terms of how the thirty-nine million dollars (\$39,000,000) is earmarked and the Department of Defense, which also houses the Hawai'i Emergency Management Agency—sees this as a priority. Ultimately, it is a shared priority, but in the overall pecking order of things, they are wanting to prioritize this inquiry and project as something that they feel, from a standpoint of necessity, needs to be done. I would note that the levee includes flood gate repairs. In our conversations with the overall Army Corps of Engineer management, that we are trying to get technical assistance, this would include the whole drainage basin of that area. Some of the more acute issues that you allude to, with respect to residential flooding that is occurring along some of the drainage channels on the dry side of the levee, we would push to have that included as part of the scoping inquiry as investigated by the Army Corps of Engineers. It is certainly not lost on us that some of the issues that you are raising do need to be handled in this. We will leave it up to the engineers to determine the best effective course of how to modify the levee to bring it within the current requirements, best practice flood standards by the Army Corps of Engineers, and the Federal Emergency Management Agency. Ultimately, I do want to mention that these funds are a shared priority with the State and not necessarily fully at our discretion.

Councilmember Cowden: Thank you for that. I appreciate that Elton Ushio is on this topic. I am wondering if he can be part of what we are talking about, the flood plain management update, because all of these are related. I appreciate what Councilmember DeCosta just said, discussing their knowledge up the mountains. Then we have Councilmember Carvalho, who has extensive experience with managing the

2018 floods. I am hoping and I will be asking for a workshop on holistic discussion of our flooding, because Wailua, Waimea, Anahola, Lāwaʻi, certainly, Wainiha, Hanalei—we are having these problems all over the place—Hanapēpē. I think we really need to work on firming up the partnership and the responsibility between the State, private landowners, and the County, because the damage falls in the County's hands and we are seeing even a little further up here. Six hundred sixty thousand dollar (\$660,000) funding just to lift up the Albizias, which I hope the ocean just took away today. I went and looked at it and the ocean is way over that at Wailua Bridge, but this is holistic problem and it looks like every single one of us has knowledge and cares deeply about this topic, so it is a big issue and we are in that rainy season. Thank you. Can we do a workshop? Can I ask him? Can I ask you that later?

Council Chair Kaneshiro: You can ask staff later.

Councilmember Cowden: I will ask staff.

Council Chair Kaneshiro: Question from Councilmember Carvalho.

Councilmember Carvalho: I just have a quick question, Mike. Based on the communication before us, the four hundred fifty-seven thousand dollars (\$457,000), it is specific to the April 2018 flooding, right?

Mr. Dahilig: It is specific to the 2018 floods as part of the one hundred million dollar (\$100,000,000) appropriation under Act 12 of 2018.

Councilmember Carvalho: Having visited those locations right after and understanding the need for this discussion and trying to connect all the dots, if you will, another big part of it, does this also include the Kōloa stream park?

Mr. Dahilig: Ultimately, the way the law was written as it progressed from Act 12 to Act 35 to Act 9, is there is a big change in how Act 12 and Act 35 was written and amended by the legislature by allowing the funds to be used for mitigation. Previously, under Act 12 in 2018, mitigation was not an entertained and allowable expense under the appropriation that was added in 2019 as an allowable expense and appropriation. We have always been under the impression that, because of the way that the Governor's Proclamation was written, as well as the President Trump's Presidential Declaration, it includes the whole island of Kauaʻi. We have been under the operating presumption that any flood mitigation that is done under these expenditures is eligible for any place across the island of Kauaʻi. That being said, the predominant damage was Anahola and north of Kapaʻa, east to north corridor, so we want to pay as much respect to the fact that there was a more significant amount of damage in those areas. It is not inconceivable that some of these moneys could be re-shifted again to other areas around the island, but it would largely depend on us having to renegotiate the agreement with Hawaiʻi Emergency Management

Agency (HI-EMA), that they would allow those as additional priorities, because this is part of that seventy-five million dollar (\$75,000,000) tranche of spending that the State did not use as part of the initial Act 12 authorization, due to the State Department of Transportation seeking a highway reimbursement from the Federal Highways Administration instead of using this fund as a way to pay for the road repairs along Kūhiō Highway.

Councilmember Carvalho: I just wanted to clarify, because having visited that particular area, everyone was different in how the damages were, but in this particular case, most of the private land homes were damaged along that river area. So that is another area that was really affected in a different way and I just wanted to follow-up on that, because having seen the damage that happened there, along with every place else. Thank you for the clarification.

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

Councilmember DeCosta: Mr. Dahilig, thank you, again. From what I understand, and help to educate me, it is earmarked, it is set in stone and it will all be put towards the north shore recovery or with the way the Proclamation was written with our Mayor and our Administrators, we still can use a small portion of these funds to help other people, in other areas of Kauaʻi, who had damage? I know our roads on the north shore and side hill and bridges is evident it needs to be replaced and fixed, and it is already there. But all of the small nonprofit businesses that have benefited from some of the money in the economy, like I have said before, there were a few people on the westside...I am very new at this Council, but I am not new in the community. I have seen it happen, when we had the forty (40) days and forty (40) night flood, that was when we largely...God bless the people in the Kaloko area that lost their lives in their homes, but it seems like the money goes to the people who make a lot of noise or a lot of "barking." So I want to ask you folks and ask the Council that we have some people on the westside that need some attention. Can you follow up for me if this money is still earmarked only for the north shore or can we go out and see some of those people in those areas who have that steady rainfall and steady flooding that we can address?

Mr. Dahilig: In response, Councilmember DeCosta, what I have done was forwarded the June agreement that was signed between the Mayor and General Hara that shows everything that has been laid out as an agreement between the two (2) governmental agencies. Ultimately, we would need to figure out opportunities for reallocation. I think what it does, it does as you are characterizing as the comments from both Councilmember Kualiʻi and Councilmember Cowden, to indicate the need for any type of flood mitigation as immense across the whole island. The discussion point of whether it is equitably spent, as well as how it reflects the priorities of the State Legislature and the State Department of Defense—those things do need to be married and part of their calculus, as well. We are certainly open to having

those discussions in terms of, if there are other high priority mitigation needs that need to be addressed out of this, but as you can see from the pot of moneys, in as much as thirty-nine million dollars (\$39,000,000) may seem like a lot, the overall investment in our aging mitigation infrastructure across the whole island is quite immense. My suspicion is to say it dwarfs that thirty-nine million dollar (\$39,000,000) outlet that we have right now. We are happy to do what we can, where we can and have those dialogues, Councilmember. If you have any suggestions about other things that can be addressed through this, we can discuss that and try to bring it over to HI-EMA and see if they concur over there.

Council Chair Kaneshiro: Do we have any further questions? If not, I will call this meeting back to order. We do need to take a caption break. Is there any final discussion on this item? Vice Chair Chock.

Councilmember Chock: Thank you, Chair. I will be quick. I know some of the Members are newer to this discussion in terms of the actions that we have taken. Just to give a little bit of history on it, we have to thank Representative Nakamura, because she really took the ball and ran with this in fighting for securing this funding from the very beginning and that is how it was slated. When it came down to the discussion here about how the funds would be utilized—this is the outcome. So that is the agreement that we are looking at before us. I will point out, just about twenty million dollars (\$20,000,000) of the thirty-nine million dollars (\$39,000,000) is going towards the Waimea recovery effort for the flood gate repairs, so just about more than half of it. I, too, understand the greatness of the need that every community, Kōloa, Lāwaʻi, and other areas have been greatly affected and it just goes to show you how short-funded we are on this particular item and how we need to plan for the future. Thank you, Chair.

Council Chair Kaneshiro: Is there anyone else for final discussion?
Councilmember Kualīʻi.

Councilmember Kualīʻi: I, too, want to make sure I have said a special *mahalo nui loa* to our Representative Nadine Nakamura, my Representative, as well. Mike, I would say you have made it clear that the nonprofit grants and those are the ones that are all delineated NTBG, Waipā Foundation, Hanalei Watershed Hui, and the sort, that you expect those to be coming out in January, but then you mentioned that the mitigation sub-grants would be months down the road. I will just say, obviously, the sooner that can happen, the better. 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 2021-12 was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried.

There being no objection, the meeting recessed at 10:52 a.m.

The meeting was called back to order at 11:06 a.m., and proceeded as follows:

Council Chair Kaneshiro: Welcome back, we are on page 3, C 2021-13. Clerk, can you please read the item.

C 2021-13 Communication (12/03/2020) from the Chief of Police and Elliott Ke, Assistant Chief of Police, requesting Council approval to receive and expend State funds, not to exceed \$10,000.00, from the State of Hawai'i, Department of Health, Alcohol and Drug Abuse Division, as reimbursement for the enforcement of Hawai'i Revised Statutes (HRS) Section 709-908 prohibiting tobacco sales to minors via Memorandum of Agreement 2019-PB-002 Modification 1 effective August 31, 2020 through August 30, 2021.

Councilmember Kualii moved to approve C 2021-13, seconded by Councilmember Cowden.

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

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

The motion to approve C 2021-13 was then put, and unanimously carried.

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

C 2021-14 Communication (12/09/2020) from the Acting County Engineer, transmitting for Council consideration, A Bill For An Ordinance To Amend Chapter 15, Article 1, Kaua'i County Code 1987, As Amended, Relating To Floodplain Management, to update Flood Insurance Rate Maps (FIRM) as required by the Federal Emergency Management Agency (FEMA), to ensure regulations meet the minimum requirements of the National Flood Insurance Program (NFIP), which will be effective February 26, 2021.

Councilmember Kualii moved to receive C 2021-14 for the record, seconded by Councilmember Carvalho.

Council Chair Kaneshiro: We will be seeing this item later on in the agenda as a Proposed Draft Bill.

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

The motion to receive C 2021-14 for the record was then put, and unanimously carried.

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

LEGAL DOCUMENT:

C 2021-15 Communication (11/16/2020) from the Housing Director, recommending Council approval of the following legal documents required by the HOME Investment Partnerships Program (HOME) and the National Housing Trust Fund (HTF) Program, and authorize the County Clerk to sign on behalf of the County Council:

- Amendment to Declaration of Covenants and Restrictions by the County of Kaua'i (Declarant) and Kalepa Village Partners (Developer), a Hawai'i Limited Partnership, by its General Partner Kaua'i Housing Development Corporation, LLC a Hawai'i Limited Liability Company, by its Manager Kaua'i Housing Development Corporation, a Hawai'i nonprofit Corporation, for Kalepa Village Phase 2B, Tax Map Key (TMK) No. (4) 3-8-002-023, Lihu'e, Kaua'i, Hawai'i (HOME);
- Declaration of Covenants and Restrictions by the County of Kaua'i (Declarant) and Kaua'i Economic Opportunity, Incorporated (Recipient), a Hawai'i nonprofit Corporation, for Transitional and Emergency Shelter, TMK No. (4) 3-8-005:001 (HOME);
- Declaration of Covenants and Restrictions by the County of Kaua'i (Declarant) and Koa'e Workforce Housing LP (Developer), a Hawai'i Limited Partnership, for Koa'e Makana TMK No. (4) 2-6-004:019 (HOME); and
- Declaration of Covenants and Restrictions by the County of Kaua'i (Declarant) and Koa'e Workforce Housing LP (Developer), a Hawai'i Limited Partnership, for Koa'e Makana TMK No. (4) 2-6-004:019 (HTF).

Councilmember Kualii moved to approve C 2021-15, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Are there any questions for the Administration? I will suspend the rules. Councilmember Cowden.

Councilmember Cowden: I have a simple question, Director Roversi. This looks like a housekeeping item, but is it, and can you give us a simple understanding of what this request is?

There being no objections, the rules were suspended.

ADAM P. ROVERSI, Housing Director (*via remote technology*): Aloha, Councilmember Cowden. Adam Roversi, Housing Director, for the record. Congratulations to all the new Councilmembers. The HOME and the HTF programs are two separate Federal funding programs that the County receives funds from every three (3) years and we allocate those funds to various affordable housing projects. As a requirement of receiving these funds, we are required to draft and enter into with the developer, Covenants and Restrictions, which impose income limits on the units that have been built using the Federal funds and a period of affordability. These documents that we are currently presenting to you are, to some extent, housekeeping. For example, the Kalepa Village document is just an amendment to the existing Covenants and Restrictions, changing the affordability period—it was incorrectly stated by a few months in the original document, so that is correcting a past error. The document relating to KEO, that has to do with funding that was provided to KEO in 2005, and in doing a regular audit of our programs, we discovered that no declaration had ever been filed with regard to those funds, so this is going back in time to correct an oversight in the past. With regard to Koa'e Makana, that project was just completed. It is now fully occupied. We had been incorrectly waiting for the completion of the project to file these documents, according to HUD, we should have filed them at the beginning of the project back in 2018, but there is no real practical effect—we are filing the documents now. We are a little late, but they are correct restrictive covenants to the Koa'e project that impose various affordability requirements for a period of time. Just as a practical matter, these HOME and HTF restriction documents are largely duplicative of other restrictions that were already imposed in the ground lease that the County issues for these projects. For instance, the Koa'e project is built by Mark Development, Inc. on County land and our ground lease already imposes even more severe restrictions than the HOME and HTF funding. Similarly, both the Kalepa Village project and the Koa'e project were also constructed using the Low-Income Housing Tax Credit (LIHTC) program, which also imposes restrictions that are actually more restrictive with a longer period of affordability than the HOME or the HTF program. Even though, in a minor way the ball was dropped by not dealing with these documents earlier, at least the Koa'e and KEO documents have other restrictions in place that ensure everything was being operated as it should be. We are fixing minor errors in the past.

Councilmember Cowden: Thank you for the explanation, finding those minor errors, and being diligent to fix them.

Council Chair Kaneshiro: Are there any questions from the Members on this item? If not, I will call this meeting back to order. Is there any final discussion from the Members?

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

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

The motion to approve C 2021-15 was then put, and unanimously carried.

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

CLAIM:

C 2021-16 Communication (11/20/2020) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Joseph P. Kua, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

Councilmember Kualii moved to refer C 2021-16 to the Office of the County Attorney for disposition and/or report back to the Council, seconded by Councilmember Cowden.

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 this agenda item.)

The motion to refer C 2021-16 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:

PARKS & RECREATION / TRANSPORTATION COMMITTEE:

A report (No. CR-PRT 2020-02) submitted by the Parks & Recreation / Transportation Committee, recommending that the following be Approved as Amended on second and final reading:

“Bill No. 2805 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO PUBLIC PARKS AND RECREATION,”

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

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

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

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

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

COMMITTEE OF THE WHOLE:

A report (No. CR-COW 2020-23) submitted by the Committee of the Whole, recommending that the following be Received for the Record:

“COW 2020-01 – Communication (02/25/2020) from Council Chair Kaneshiro, requesting the presence of the Mayor, to provide a briefing on the County’s Administrative Policy prohibiting disposable plastics on County property, to include, but not be limited to, the Administration’s plan to educate employees and members of the public, the enforcement mechanism, the consequences for violation, and the exceptions for compliance, et cetera,”

A report (No. CR-COW 2020-24) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

“Bill No. 2806 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Parks & Recreation RAIN20 Event – \$660,000.00*),”

A report (No. CR-COW 2020-25) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

“Bill No. 2807 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, 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 (Half Year) – \$7,467,500.00*),”

A report (No. CR-COW 2020-26) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

“Bill No. 2808 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*General Fund Unassigned Fund Balance (Ho’olako/Ka’ana Parcel Improvements) – \$1,400,000.00*),”

A report (No. CR-COW 2020-27) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

“Bill No. 2809 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-867, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND GENERAL FUND-CIP (*Ho’olako/Ka’ana Parcel Improvements Defunding – \$4,500,000.00*),”

A report (No. CR-COW 2020-28) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

“Bill No. 2810 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*HGEA Retroactive Raises – Grant-Funded Positions*),”

A report (No. CR-COW 2020-29) submitted by the Committee of the Whole, recommending that the following be Approved as Amended on second and final reading:

“Bill No. 2811 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*COVID-19 Funding For 2021 – \$2,000,000.00*),”

A report (No. CR-COW 2020-30) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

“Bill No. 2812 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-867, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND GENERAL FUND-CIP (*HRMS, Payroll & Personnel System – \$1,335,000.00*),”

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

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

(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.

Resolution No. 2021-04 – RESOLUTION SUPPORTING AND URGING EQUITY, INCLUSION, AND SOCIAL AND ECONOMIC JUSTICE PRINCIPLES IN COVID-19 RELATED RECOVERY INITIATIVES

Councilmember Kualii moved for adoption of Resolution No. 2021-04, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: This was a request that came to us from the Kaua'i Committee on the Status of Women. I believe Ellen and Edie are online if we have any questions from the Members. Are there any questions from the Members regarding this Resolution? Councilmember Cowden.

Councilmember Cowden: Edie, thank you for your work on this. Would you like to give some clarification and explanation?

There being no objections, the rules were suspended.

EDIE IGNACIO NEUMILLER (*via remote technology*): Sure. My name is Edie Ignacio Neumiller. I am an individual member and Kaua'i Commissioner of the Hawai'i State Commission on the Status of Women (HSCSW). I am an ex-officio member of the Kaua'i Committee on the Status of Women. I am in support of Resolution No. 2021-04. Councilmembers, Chair, and Vice Chair, I would like to read my testimony if that is okay. Thank you very much. For the past ten (10) months women have been affected by the COVID-19 pandemic that has left them caring for their children at home

because childcare has been limited and/or not available at all. Here are a few points that I would like to mention in my testimony. As you may know or not know, domestic violence cases have increased during 2020 COVID-19. I want to give you a comparison between 2020 and 2019 and highlight five (5) months this year—March, April, June, July, and August. These statistics that I am going to be repeating are from the Kaua'i Police Department. In March 2020, there were twenty-three (23) cases, in 2019, there were nineteen (19). April 2020, there were twenty-five (25) cases, in 2019, there were twenty-two (22) cases. In June 2020, it was eighteen (18), in 2019, it was seventeen (17). The highest was July with thirty-six (36) cases this year, compared to last year with twenty-four (24). In August, twenty-eight (28) cases uptick, and in 2019, twenty-one (21). Other points I am going to point out are female frontline workers are affected having to work long hours and are not able to work due to childcare. Having to homeschool their *keiki*, that results in lack of income if it is a single mother. Paying rent is a big issue, if there is no income in the family and women may end up being homeless, desperately seeking other agency resources having learned that funding may only may be available for one (1) or two (2) months. Single mothers become food insecure, as we have seen many families in long lines at food bank distributions. Gender equality would benefit with Federal stimulus funds that impact, especially, single mothers and children during the pandemic. The County of Kaua'i needs a robust recovery initiative to be inclusive for women, including job stimulus funding, unemployment benefits, prevention of sex trafficking of women, child abuse, and to provide social services to support women during these stressful times from the pandemic. I fully support Resolution No. 2021-04 for the County of Kaua'i and the Administration to provide stimulus funding in agencies that fully support women and children. Also, please pass Resolution No. 2021-04. Through the State Commission on the Status of Women, there were two (2) other Commissions that passed resolutions—the County of Maui and the County of Hawai'i, so for Kaua'i to step up to provide some stimulus funds or to divvy out stimulus funds to other agencies would be very proactive in these recovery initiatives. As you know, a lot of women are suffering and cannot keep their jobs or lost their jobs due to this pandemic. Please, I would like you to pass Resolution No. 2021-04. *Mahalo*.

Council Chair Kaneshiro: Thank you. Are there any questions from the Members? Councilmember DeCosta.

Councilmember DeCosta: Thank you so very much for all your support in this Resolution. I come from a family where my mom was a stay-at-home mom, while dad was the breadwinner. In defense of my current family, my wife is the breadwinner and I have stayed home many times to watch my kids grow up. A big shoutout to the men out there who are stay-at-home "moms," also. The question I have for you was, do you have any statistical data on how many women were in the workforce that either lost their job or have to stay-at-home now or how many dads lost their job or vice versa? I am trying to look at a comparison between childcare and with all the protection laws today that protects both sides, dads and moms, I wanted to know if you have any statistical data on how many women in the County of Kaua'i are at home watching the children, because they have lost their job and their husbands are working. Do you have any statistical data on that?

Ms. Neumiller: I did not prepare that Councilmember. That would be something with the Department of Labor and Industrial Relations (DLIR), which I could provide to you later on, if you would like that information. Unfortunately, I do not have statistics, but a lot of women, especially on Kaua'i, will have to stay home, then we give credit to the husbands that are staying home also, to watch the children while the women are the breadwinners.

Councilmember DeCosta: Thank you.

Ms. Neumiller: If you would like that statistic later, I can provide that for you.

Councilmember DeCosta: Thank you very much.

Ms. Neumiller: You are welcome.

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

Councilmember Cowden: I want to acknowledge, I think it is probably Ellen, but we were provided quite a lot of information that includes the disparity between the men and the women, and the men have a hard time too. I want to acknowledge also, that our Administration has tried really hard to be addressing some of these elements that disproportionately affect women. What we have seen in the CARES Act creates an extrapolation of the disparities that were already there, but I thank you folks for what you have put here, too; there is quite a lot of information here. Thank you for all that information.

Ms. Neumiller: You are welcome.

Councilmember Cowden: Does Ellen have any comments she wanted to make on this topic?

Ms. Ching: Thank you, Chair and Councilmembers. I do not have anything to add. I think, for the record, you have also received testimony from Darcie Yukimura.

Councilmember Cowden: Yes.

Ms. Ching: I just want to recognize, again, the members on the Kaua'i Committee on the Status of Women, for the work that they have done, and their advocacy in this area. Thank you.

Councilmember DeCosta: I have a comment.

Council Chair Kaneshiro: The comment, we will do after. Are there any more questions? If not, we did receive written testimony, we did have verbal testimony earlier this morning. I will call the meeting back to order. Is there any final discussion from the Members? Councilmember DeCosta.

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

Councilmember DeCosta: I want to thank you, Council Chair Kaneshiro, personally for signing and introducing this. Thank you for bringing Councilmember Cowden onboard to empower our women. I think it is important that you acknowledge them. I would like to acknowledge all of the women here within the Office of the County Clerk who do such a proficient job to make our job look good, so thank you for that. I think that is very important.

Council Chair Kaneshiro: Thank you. Councilmember Cowden.

Councilmember Cowden: I want to acknowledge the framework. It is called, "Building Bridges, Not Walking on Backs." This is a long process that has been happening nationally, actually, internationally. So this effort is not just Kaua'i, it is across the nation and world, the effort is collective, it is a global voice trying to shift the trend, so we are voicing in supporting the effort across the world—that is what is happening. I appreciate it.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: Thank you, Chair Kaneshiro and Councilmember Cowden for introducing this. Also, thank you to the Kaua'i Committee on the Status of Women and the State Commission for all of their work on this front. I did have a chance to read some of the report that was included in our agenda packet. I just want to recognize, I think we have all heard so many stories similar to the outline in here about the disproportionate impact of the pandemic on women. Not only childcare from losing jobs, as Councilmember DeCosta was referring to, but also childcare responsibilities from school closures. I have numerous friends who have not been able to return to work, because they are caring for their children on alternate days. I have a friend who is a doctor who has not been able to return to work. Another one who had to quit their business for some of the same reasons. It is just crushing. Not only from an economic impact, but also mental health perspectives. I am someone who is similar to Councilmember DeCosta who was a stay-at-home dad for about a year with my children. There is nothing I would rather do than spend time with my children, but when you are doing it every day, all day, it can be tough mentally and work is certainly an outlet for a lot of people and helps improve mental health. So when people are often forced for various reasons to stay at home it can be crushing. I think it is really important to recognize and certainly, with an allocation or funding, as Councilmember Cowden said, and there was some effort in the CARES Act distribution to recognize that...Women In Need received a significant portion of funding, along with trying to fund the Boys and Girls Club for childcare. If there is a second stimulus package, I do think we need to recognize this from the start and try to support childcare efforts, mental health, and disproportionate impacts of homelessness on women. I appreciate the Resolution and all the work in the background that went into developing the Resolution.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: I, too, recognize all the hard work. My wife Regina is on the Committee as well, so she has been out and about with all the strong women in our community and right here in our own chambers. So *mahalo* to all the women and the men too, hanging in there supporting their women, which is a big thing. I like the work that the Commission is doing. They are doing good outreach and connecting, so *mahalo* to all of you. Thank you, Ellen, and the team.

Council Chair Kaneshiro: Councilmember Kuali'i.

Councilmember Kuali'i: I want to say, a big *mahalo nui loa* to the Committee on the Status of Women. I think this is a really important Resolution, so I want to read a little bit of it. One of the whereas clauses, it says, "The United Nations (UN) released 'The Impact of COVID-19 on Women,' a policy brief that emphasized the devastating consequences of the pandemic for women and girls, and identified three priorities that would have meaningful impact on women and girls—and society at large—if pursued: 1) ensure women's equal representation in all COVID-19 response planning and decision-making; 2) drive transformative change for equality by addressing the care economy, paid and unpaid; and 3) target women and girls in all efforts to address the socio-economic impact of COVID-19." The "be it resolved" clauses say, "That we as a Council will support the feminist economic recovery plan for the County of Kaua'i and that we will strongly urge the Administration to view this pandemic through a gendered lens and incorporate principals of equity, inclusion, and social and economic justice, championed in the UN report and HSCSW plan, into County-run COVID-19 programs, into language on County-printed materials and digital communications, as well as into County-initiated requests for proposals centered on COVID-19 response and recovery efforts." The final resolve is, we as a Council, "That is urges the Administration to recognize the specific vulnerability faced by women and girls in this pandemic and make every effort to proactively and consistently engage with the Kaua'i County Committee on the Status of Women, as well as women and girls in our community, in order to inform COVID-19 related decisions." Thank you.

Council Chair Kaneshiro: Council Vice Chair Chock.

Councilmember Chock: Thank you, Chair. *O na mānā wahine*. Thank you to the introducers for this and just the recognition of inclusiveness, empowerment, and equality, I think is so important at this time. Our women definitely carry a lot of the weight for our society and we need to recognize and uplift them. I like the way this is formatted as a targeted action that we can support specifically to our situation that we all face today, so I appreciate that. Of course, I will be supporting this. Thank you.

Council Chair Kaneshiro: For me, I think I speak for all of us. We all have mothers, many of us have wives, some of us have daughters, nieces, and we all expect them to be raised and treated equitably. I am in one hundred percent (100%) support of this Resolution. Is there any further discussion from the Members? If not, roll call vote.

(Written testimony was received and one registered speaker testified regarding this agenda item.)

The motion for adoption of Resolution No. 2021-04 was then put, and carried by the following vote:

FOR ADOPTION:	Carvalho, Chock, Cowden, DeCosta, Evslin, Kualii, 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.

Council Chair Kaneshiro: The motion passes. Next item.

Resolution No. 2021-05 – RESOLUTION TO RECEIVE AND EXPEND A SPECIAL ALLOCATION OF GRANT FUNDS FROM DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, AUTHORIZED BY THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) OF 2020 (PUBLIC LAW 116-136)

Councilmember Kualii moved for adoption of Resolution No. 2021-05, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions from the Members? I will suspend the rules. Councilmember Cowden, then Councilmember Evslin.

Councilmember Cowden: Thank you, Director Roversi. This is a good effort for helping the houseless community. Can you tell us more about it?

There being no objections, the rules were suspended.

Mr. Roversi: *Aloha.* Adam Roversi, Housing Director. Project Vision is a nonprofit organization that started back in 2007 on O'ahu. Their initial goal was primarily providing eye care services and exams to the homeless community or other underserved individuals. Since their founding in 2007, they have expanded to all major islands, except for Kaua'i and expanded the scope of their services beyond just vision care, but to also providing other medical services on the other islands under their project Hi'ehi'e, I am probably butchering that. They are also providing mobile hygiene trailers to the homeless communities. These trailers have individualized bath and shower facilities for the homeless community. In that same trailer, they have medical examination rooms, where they provide the vision care. They also provide flu shots. Also, in cooperation with the Department of Health on other islands, they have been doing COVID-19 testing and they are hoping to also become a source for COVID-19 vaccinations when that is rolled out on a larger scale to reach the homeless community and folks that are not readily going to seek out and have access to regular hospital care. Project Vision independently raised funds to purchase a trailer for Kaua'i. The funding that is before you in this Community Development Block Grant (CDBG) is to cover their operations of that trailer: personnel costs, hygiene supplies, cleaning, their regular wastewater disposal that would be required of the mobile trailer, as well as to buy a truck that is capable of

pulling the trailer to different locations around Kaua'i. We are excited about getting this going on Kaua'i and I am happy to answer any other questions. I would say, just observe that they are a proven organization on other islands, so we feel fairly comfortable directing money to them, given the benefit that they will provide to the community.

Council Chair Kaneshiro: Thank you, Adam. Councilmember Evslin.

Councilmember Evslin: Thank you, Adam. That sounds like a great program. As far as the funding goes, this CDBG allocation was through the CARES Act, correct? Was it an additional allocation in addition to our normal CDBG funds?

Mr. Roversi: Correct. Actually, this is the third tranche of funding, special CDBG funding that came under the CARES Act. This is separate from our regular annual allocation of CDBG funding. The regular CDBG annual funding has just now opened up for applications. Our CDBG coordinator, Kerri, had a public meeting regarding that—I think it was two (2) weeks ago—to introduce the latest application round for the regular annual process. But this is a special tranche of the CARES Act funding. The previous funds that we had in the first and second allocation went primarily to rental, mortgage, and childcare assistance programs.

Councilmember Evslin: As far as this one goes, for long-term funding, is there an anticipation of where that would come from or is this just temporarily funded?

Mr. Roversi: The expectation is that these funds are for the next year. They have already demonstrated their ability to raise private funding to purchase the trailer. The hope is that they will, through other sources of grant funds, be able to largely become self-supportive. It is certainly possible that they would be coming to the County in the following year, applying through the regular CDBG program or other sources of funds to keep the project going. But our hope is, given their current success with independent fundraising, that their future burden on the County's funding would be limited.

Councilmember Evslin: Thank you. That would be amazing if they could continue on and be self-sufficient at some capacity. That second allocation of one hundred thirty-five thousand dollars (\$135,000) for administration, is that covering existing salary expenses that we have? What is that going towards?

Mr. Roversi: That funds our CDBG Program Coordinator and program expenses. That is based on a standard federal formula of a percentage breakdown that is always allocated to administration. It funds our CDBG Coordinator and a portion of our Federal Program Assistant's salary. When the CDBG administrative funds are in excess of what is required to pay salaries, benefits, pensions, office supplies, and so forth, I will have to verify, but I believe we recycle those excess funds back into the CDBG program as program income, then they go towards future projects and services.

Councilmember Evslin: The final question along those lines is the anticipation that maybe this could get recycled through if you folks are not making any additional hires just to oversee this.

Mr. Roversi: We have no intention of making additional hires. It is just maintain our current personnel. I would have to verify with Kerri, who is our CDBG Coordinator, what the current balance of the administration account is. I do not want to give you an answer without talking to her first.

Councilmember Evslin: That is okay. Thank you, Adam. It seems like a great program.

Council Chair Kaneshiro: Councilmember Kualii, then Councilmember Cowden.

Councilmember Kualii: Adam, for this Project Hi'ehi'e Kaua'i, the five hundred thousand dollars (\$500,000), you said was to cover operational costs and I think you just answered Councilmember Evslin "for the next year." What period is that? Are you talking about the calendar year? When would it start and when is the funding projected to cover?

Mr. Roversi: Tentatively, I believe it is the calendar year, but I will have to confirm that with Kerrilyn Barros our CDBG Coordinator, as well.

Councilmember Kualii: This five hundred thousand dollars (\$500,000) is intended to cover the programs for twelve (12) months.

Mr. Roversi: That is my understanding. Operations, personnel costs, buying them a heavy duty pickup truck that can tow the trailer to where it needs to go around the island, and things like towels, cleaning supplies, personal protective gear in response to COVID-19, that will be used by the practitioners in the trailer. I believe they provide WIFI service from the trailer to the communities that they go to, various equipment that will go in the trailer, medical supplies. That is the range of costs that the funding will be covering.

Councilmember Kualii: Just to be clear, what is being provided are these services and not actual funding.

Mr. Roversi: Can you clarify?

Councilmember Kualii: It says, mitigate the impact of COVID-19 for low- to moderate-income individuals or families, and those experiencing homelessness. All the things you have talked about, as far as program services, including medical and vision services, is that true?

Mr. Roversi: Correct, that is the traditional medical service that Project Vision has provided. Just as an example, they could take their trailer to Lydgate Park for a weekend or a day and they would provide hygiene facilities, medical examinations, flu vaccinations—those sorts of services to the homeless

community in that area. Then when felt they have adequately served that area, they would pick up the trailer and go near a sewer area where they can dispose of all of their wastewater and relocate to another location and duplicate the same array of services for a different section of the community.

Councilmember Kualii: Okay, thank you.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Thank you. I am familiar with this group, because I see them at the social services outreach in the encampments. My question would be, how about their ability to go to non-permitted locations? During the COVID-19 time, we have had our emergency sheltering places—we have five (5) of those locations. There are people who encamp in all different kinds of areas like in the Keālia area near the cemetery. Would this be able to go to those places that do not have a shower? We have showers in the beach parks and that is why we picked them for our permitted camping. I am wondering about these non-permitted areas. Another area would be the boat ramp.

Mr. Roversi: Sure. They are not restricted to just serving County parks. They are a nonprofit organization that is free. We are not dictating to them precisely where they need to provide service, that is being left to them. As long as they follow standard laws and go on to property that they have permission to go onto. For example, by the small boat harbor, if the State allows them to go there, then that is perfectly fine. They need to have a safe area to park, that would be approved, not trespassing on private property—those sort of general concerns. We are not dictating exactly where they have to go, it is up to them to decide where the area of needs are, and make those decisions themselves.

Councilmember Cowden: I appreciate that. I do not know if your homeless coordinator, if they keep any statistics on what we have. My observation with working with the community is that there are people without physical mobility, so I think that is really important—when people can hardly get up and walk—having this service where they can come and help them get cleaned, because some of them really need that service—they are just laying there. This is a really great ability to go and help in the different areas, so I just want to thank you for making the effort to get the funding and to direct it in that way. Thank you for that.

Council Chair Kaneshiro: Are there any other questions from the Members on this item? If not, I will call this meeting back to order. Is there any final discussion from the Members? Councilmember DeCosta.

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

Councilmember DeCosta: I would like to thank you, Councilmember Cowden, for commenting on Adam. Good job, Adam. End of story. Councilmember Carvalho and I, can tell you when these people need cleaning, they go to the hospital

and our nurses are already doing so much as it is, so this service is a blessing. Thank you.

Councilmember Cowden: I have one more question.

Council Chair Kaneshiro: I will suspend the rules. Councilmember Cowden.

There being no objections, the rules were suspended.

Councilmember Cowden: What I forgot to ask them myself, it seems like they are volunteers that I see at the outreach. Do you know if they are paid staff or volunteers?

Mr. Roversi: I know that there are some paid staff. I cannot tell you the exact breakdown.

Councilmember Cowden: Okay.

Mr. Roversi: I think there is a mix of both volunteers and paid professionals.

Councilmember Cowden: Okay. I would think, as the program grew, I hope what we are able to do is, actually get people into housing. Having people with strength and nursing skills, somewhat, to lift people and move them. I see that need is out there, so thank you, again.

Council Chair Kaneshiro: I will call the meeting back to order. Is there any final discussion from the Members? If not, roll call vote.

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

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

The motion for adoption of Resolution No. 2021-05 was then put, and carried by the following vote:

FOR ADOPTION:	Carvalho, Chock, Cowden, DeCosta, Evslin, 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. 2021-06 – RESOLUTION AMENDING RESOLUTION NO. 2020-23, RELATING TO APPOINTING A REPRESENTATIVE AND ALTERNATE TO THE EXECUTIVE COMMITTEE OF THE HAWAII STATE ASSOCIATION OF COUNTIES

Councilmember Kualii moved for adoption of Resolution No. 2021-06, seconded by Councilmember Cowden.

Council Chair Kaneshiro: I will give a brief overview. In the past, Councilmember Kagawa was our main Hawai'i State Association of Counties (HSAC) representative, and Council Vice Chair Chock was our alternate. With Councilmember Kagawa gone, we felt it was right to make Council Vice Chair Chock our main representative, then we are putting Councilmember Carvalho as the alternate. Knowing that when it comes to lobbying at the State, Councilmember Carvalho has had a lot of experience lobbying there as a Mayor—he is very recognizable there. Again, having this team will be a good representation of Kaua'i, and for HSAC in general, representing all the counties. Again, HSAC represents all of our counties, and our County priorities, and I think, Kaua'i would be sending our representatives a very strong representation from Kaua'i—just thought that was what would be best for us, trying to move forward our priorities, and lobbying at the State level. I will suspend the rules, if there are any questions.

Councilmember Chock: No questions or comments, Chair.

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

Councilmember Chock: Thank you, Chair. I appreciate the support for HSAC. In attending some of the last few meetings of HSAC, it looks to me that there is a lot of work to happen in HSAC to clean up some of our finances. It also looks like there is a good chance there is going to be a new HSAC Executive Committee. I hear that Hawai'i County Council is seeking out Councilmember Kimball, and there is a possibility that Councilmember Waters for O'ahu, so the only veteran returning is Councilmember King from Maui. We have not had a meeting since November, so we will look towards getting the other counties established, so that some of these clean-ups can happen. I do think it is going to be a big job this coming year. Thank you.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: I, too, have the opportunity as an alternate, but have the connections and understanding of what it takes to reach out and develop the relationships. There has been a lot of changes from what I hear and understand, so we need to develop relationships there, but I know the process is a good opportunity to keep all the information flowing from here, as well as to our neighboring islands and developing that solid relationship, because sometimes we have to be able to reach out and bring back information or resources. Working close with Vice Chair Chock and the overall opportunity to serve, so *mahalo* for that chance, I look forward to that.

Council Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: I just wanted to say, *mahalo nui loa* to both of you for your willingness to step up and serve us in this capacity. I just want to offer my support to you and look forward to working with you as the National Association of Counties (NACo) board member. One thing I will put out there, because I was on a community call with Senator Schatz the other day, it reminded me that we have our Legislative Conference in Washington D.C. that will not be happening in person, obviously because of COVID-19, but it will happen virtually. I think it is still important that we as representatives from Hawai'i through HSAC set up those virtual meetings with all four (4) of our delegates in Washington D.C.—because it would be virtual, we could even open it up to all our Councilmembers. I will bring that to them right away, I guess, because it is late February, early March. Thanks.

Council Chair Kaneshiro: Councilmember Cowden, then Councilmember DeCosta.

Councilmember Cowden: I want to echo what Councilmember Kualii said. I have full faith in both of you that you will do an excellent job, that you have the experience at networking, and that you will be able to work with the other islands very well. I offer my enthusiastic support on any of the topics that are there. I agree with Councilmember Kualii, if there are ways for any virtual meetings for some of the others of us to listen in, because there are many important issues that are facing all of our islands right now, and there always are, but I think we are in a crisis mode on several different levels, so I appreciate that. As someone who participates in a NACo committee, I hope that we can have broad participation in what the NACo brings to us, because we can learn from other areas in the nation. Thank you to both of you.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: I am going to sound like a canyon, echoing. Councilmember Chock, thank you for putting the excellent leadership skills you have now to work, and Councilmember Carvalho, we are in good hands with you bridging the gap with all your experiences. Thank you.

Council Chair Kaneshiro: Okay. Is there anyone else? Councilmember Evslin.

Councilmember Evslin: Thank you, Councilmember Chock and Councilmember Carvalho. It looks like you did a good job at the interview and I think we have the right people representing us. Thank you for your willingness to go forward.

Council Chair Kaneshiro: I want to add, I think Kaua'i has been leading the effort throughout the State, as far as being the most proactive island regarding COVID-19. Also, with HSAC, having the more experienced Members there, the other islands are going to be looking at us again, to be the champions of moving the needle with HSAC, and I have all the confidence in the world with Council Vice Chair Chock

and Councilmember Carvalho there. I think they will be a very good representation for us and for the whole State. With that, 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. 2021-06 was then put, and carried by the following vote:

FOR ADOPTION:	Carvalho, Chock, Cowden, DeCosta, Evslin, Kualii, 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.

Council Chair Kaneshiro: The motion passes. Next item.

Resolution No. 2021-07 – RESOLUTION AMENDING RESOLUTION NO. 2021-02 RELATING TO THE RULES OF THE COUNCIL OF THE COUNTY OF KAUAI FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS

Councilmember Chock moved for adoption of Resolution No. 2021-07, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Originally this request came as a written testimony from Inauguration. Basically, I want to say, it is a minor change to the rules. I think it does give a little more clarity on how we will run our testimony. It does give more definitive information on how much time speakers have. Prior it was always three (3) minutes and if we allowed, we would give them another three (3) minutes, but with this change it allows them six (6) minutes, no matter what. Considering the circumstances we are in, considering how our meetings have been going, considering COVID-19, and the way we need to interact with the public—I can tell you that, me personally, I am okay with the changes. It is actually easier to give the testifiers the full six (6) minutes up front, rather than us having to go back and forth, so just from my perspective, I can tell all you Councilmembers that I am comfortable with it, considering our circumstances. If things change and our meetings start going longer, we might want to look at toning it down to three (3) minutes, but right now, I can say our meetings have been running very efficiently. We are actually doing our Committee Meetings and Council Meetings in one (1) day, and being able to finish on time. If it ever gets to a point where the meetings start reaching 4:30 p.m. or a time when our staff will have to start doing overtime, then I think we might need to look at a rule like this to tone the meetings down, but considering the circumstances now, I am completely okay with this Resolution. I will suspend the rules. Are there any questions from the Members? Councilmember Cowden.

Councilmember Cowden: I just had a comment. I am in agreement with you and I chose to introduce this Resolution on behalf of the citizen who asked for it. As you are saying, it is what we are already doing at present—we let people give the full six-minute flow? I believe when we have the three-minute and then the three (3), we are letting them know to keep it short if you can. It is certainly easier on the testifier and the listener to not break the continuity of someone's testimony, but this still does allow for separating it out. If we had a room full of twenty (20) people wanting to speak, then we do not give all twenty (20) people six (6) minutes to begin with. Very often, in that case, they would have heard someone else say what they were thinking. When there is a big group, they can get more organized, but I feel like this is what we are doing anyway. It still has flexibility.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: I would like to chime in a little bit. I would like to thank you, Councilmember Cowden, for introducing this. I want to thank the rest of the Councilmembers for empowering you, supporting you in that, and actually making that a Resolution. Great job showing examples of empowering women during COVID-19.

Council Chair Kaneshiro: Is there any further discussion from the Members? Councilmember Kualii.

Councilmember Kualii: I will just reiterate what she said with the point about making it relatively convenient for the testifiers. In that instance, when the room is filled, that you are limited to the three (3) minutes, then they can come back a second time. Otherwise, the person at the end of the list might have to wait two (2) hours, and they may not have two (2) hours, they may only be here for an hour to try and squeeze in testimony, then they need to get back to their lives. Thank you.

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 for adoption of Resolution No. 2021-07 was then put, and carried by the following vote:

FOR ADOPTION:	Carvalho, Chock, Cowden, DeCosta, Evslin, Kualii, 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. 2816) – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 15, ARTICLE 1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO FLOODPLAIN MANAGEMENT

Councilmember Kualii moved for passage of Proposed Draft Bill (No. 2816) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for January 13, 2021, and that it therefore be referred to the Public Works & Veterans Services Committee, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Are there any questions from the Members on this item? I will suspend the rules. If you want to give a brief description of the Bill and what it does.

There being no objections, the rules were suspended.

TROY K. TANIGAWA, Acting County Engineer (*via remote technology*):
Thank you, Council Chair and Councilmembers for the opportunity to provide testimony on this agenda item. This draft Bill proposes amendments to the County Code, Title 5, Chapter 15, Article 1, Floodplain Management. The primary amendment in this measure is the adoption of FEMA's updated Flood Insurance Rate Maps for Kaua'i, that become effective on February 26, 2021. It is FEMA's requirement that the County adopt the updated flood maps by February 26, 2021, the effective date, to meet the minimum requirements of the National Flood Insurance Program (NFIP). The Proposed Draft Bill also proposes several other minor co-revisions, such as corrections or additions to the Code, including clarifying language, definitions, terminology, et cetera, to ensure the County's Floodplain Management Code continues to meet the minimum requirements of the NFIP. These revisions come from recommendations made during reviews conducted by the Hawai'i State NFIP coordinator and their consultant. Other agencies consulted regarding the proposed co-revisions including the Office of the County Attorney, Kaua'i County Planning Department, Kaua'i Emergency Management Agency, and the Department of Public Works, Building Division—those are the highlights. With me today is the Engineering Division Chief and our Floodplain Manager online to address any questions that might come up.

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

Councilmember Cowden: When I read this, it is not like we have a choice, right? The Federal government is saying, if you want to have emergency management funding from us, we have to say, "Yes" to this. Is that correct?

Mr. Tanigawa: This is more related to the flood insurance program, FEMA's National Flood Insurance Program. This ordinance is required to keep the County in compliance with the program requirements. If we are not in compliance, it could affect the people who require flood insurance by not allowing their participation in the flood insurance program.

Councilmember Cowden: When we adopt this, how is it going to be expressed? Say, when someone wants to build a house, when we want to put a road in, how is this going to change any of what might happen at a practical level? I understand it is about the insurance, so how does it express itself, in terms of our hard builds anywhere?

Mr. Tanigawa: I will call on Michael Moule or Stanford to address that.

STANFORD IWAMOTO, Civil Engineer VI (*via remote technology*): This is Stanford Iwamoto, I am the Floodplain Manager.

Councilmember Cowden: Okay.

Mr. Iwamoto: We already have an ordinance in place and changes to the ordinance do not affect how we apply it. The only changes that will take effect are how the FIRM changes in certain areas, and those areas may be in different flood zones, but in terms of the requirements, those do not change to how we pursue the program.

Councilmember Cowden: I guess I do not have enough experience, because right now when I am looking at these flood-prone areas where there is damage, and we are trying to understand the jurisdiction of one organization like the State or County or whatever it is. When you are talking about FIRM, can you define what is FIRM, because how...they would not be doing this if it did not have any impact, so I want to know what the impact is. We would not be changing it if it was not going to make a difference. I know it is the Flood Insurance Rate Map, will people's insurance in the different towns go up? What will happen?

Mr. Iwamoto: It is the Flood Insurance Rate Map and the maps are used to designate areas that are called Special Flood Hazard Areas and those areas may require insurance or have insurance rates based on what flood zone they are in.

Councilmember Cowden: Are we going to get a map that shows where there has been a change? For example, in Hanapēpē, would we see a map where there was maybe crosshatched or color changed, so people in the community know

what this means. I would like to know how it is going to make a change. Who is going to be impacted, so we can be communicating with those areas?

Mr. Iwamoto: This was all part of what we did when we went through this map change.

Councilmember Cowden: Last summer.

Mr. Iwamoto: Back in 2019.

Councilmember Cowden: Okay.

Mr. Iwamoto: We went into the community and we showed them these maps, which were exactly how you have described them. There are crosshatched areas, which showed which areas are changing. The maps that are going to be approved now will not show the areas that are changing, they will just show the affected flood zones.

Mr. Tanigawa: Councilmember Cowden, we can provide maps to the committee.

Councilmember Cowden: Yes, I would like to see the maps.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: Thank you, Mr. Tanigawa. You have a very difficult department to run and I appreciate your foresight in looking into this. Does this take into effect, the “100-year flood” that we always talk about? I know that for house insurance people in our community, they do not take that into effect and people do not have to buy flood insurance in that area, but when there is a large rain every twenty (20) or thirty (30) years, sometimes they call it the 100-year flood. I have seen that criteria used before. How does that affect that area that gets flooding with those rains that are not on the flood map?

Mr. Tanigawa: Stanford, can you address Councilmember DeCosta’s question.

Mr. Iwamoto: In terms of the flood maps, they are all based on the 100-year storm—those are how the zones are designated. For flood insurance rates, they are based on those maps. For areas outside, that have not been mapped, you are still able to get insurance if you want, but they are based on a different rate.

Councilmember DeCosta: Okay.

Mr. Iwamoto: Yes.

Councilmember DeCosta: Just in case the constituents call and ask, we have information for them. Thank you.

Council Chair Kaneshiro: Are there any further questions from the Members on this item? If not, I will call the meeting back to order. Again, this will go to public hearing, then to Committee Meeting. Is there any final discussion from the Members? Councilmember Cowden.

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

Councilmember Cowden: I am so conscious of the flood situation. I am hoping, whether it is through Elton or through this organization that we get a good comprehensive understanding in that Committee Meeting and we have more discussion. I would like to have the maps before the Committee Meeting.

Council Chair Kaneshiro: Okay. 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 passage of Proposed Draft Bill (No. 2816) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for January 13, 2021, and that it thereafter be referred to the Public Works & Veterans Services Committee was then put, and carried by the following vote:

FOR PASSAGE:	Carvalho, Chock, Cowden, DeCosta, Evslin, Kualii, 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. 2805, Draft 1 – A BILL FOR AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 1, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO PUBLIC PARKS AND RECREATION

Councilmember Kualii moved to approve Bill No. 2805, Draft 1 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Chock.

Council Chair Kaneshiro: Are there any questions for the Administration? Discussion or question?

Councilmember Evslin: Sorry, Chair, if I could briefly explain the Bill to our new Members, Councilmember DeCosta and Councilmember Carvalho.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: Is that okay? Councilmember Carvalho and Councilmember DeCosta, the Bill simply authorizes the Department of Parks & Recreation to do a study, which gives a vague outline of what paid parking would look like at County parks. The intent here is to better manage overcrowding at some of our beach parks, so this does not set up the fee structure, it does not set up the mechanisms for charging for parking—that would be determined by the Department of Parks & Recreation, internally, after they do the study. The study is the first component that is required by law to get us a rational nexus for what the fees can be. The one iteration we had at the Committee level, Councilmember Cowden introduced an amendment to broaden it, instead of just looking at beach parks to at least give them the discretion to do it at all County parks, and set up a specific fund for the money to get allocated to. Very important is that they can only charge non-residents, so residents, per the Bill, will not be charged. Once they have that set up, they still need to come back to us with a resolution to actually enforce it at a specific beach park. I just wanted to give you that quick overview, so you have it before moving forward.

Council Chair Kaneshiro: While the rules are still suspended, are there any questions on this Bill? It is second and final reading already. Councilmember Cowden.

Councilmember Cowden: Will the study include other studies that are underway? I know in Hanalei, the Hanalei Initiative is doing a study, so I am hoping that the work they are doing gets included in it.

Councilmember Evslin: For the Department of Parks & Recreation authorized for the Bill is simply a study to figure out what the structure would be, what the impacts are—I certainly would love there to be some sort of coordination with the study on the north shore.

Council Chair Kaneshiro: Councilmember DeCosta, then Councilmember Carvalho.

Councilmember DeCosta: This is only appropriate for us to ask questions based on the study, not on the overall scope of the work, is that correct?

Council Chair Kaneshiro: Just on the Bill.

Councilmember DeCosta: Just on the Bill. The question I would have for you, Councilmember Evslin...

(Councilmember Cowden was noted as not present.)

Councilmember DeCosta: ...is did you folks take into consideration the impact it will have on the streets, roadways, and communities adjacent to the park? I am in all support of this, it is a great thing, and I want to see it go to full fruition. But working in Kōke'e for the last two (2) years, I have seen us put those parking meters where the tourists need to pay. While they have gotten wind of it, they started to park down the highway, and walked up. Then we had a huge traffic problem with the tourists not wanting to pay. I think it would be a good idea to look into having an attendant that can not only give a ticket in the parking lot of the beach park or County park...

(Councilmember Cowden was noted as present.)

Councilmember DeCosta: ...but give a ticket on the side of the road and not have to wait for the police to have to come and do it, because it will be a very impactful place, especially if you go down into the Kōloa area where some of the roads are tight. Our local people might get stuck in traffic trying to get to the beach park, because you have all the tourists or all the people who have to pay, park on the side of the road, walking to the beach. Thank you.

Councilmember Evslin: Vice Chair Chock, do you want to respond?

Councilmember Chock: Sure. Thank you for the question. It is a valid question, so I appreciate that. Going into this we knew that the outcome would be an overflow into the surrounding areas. As part of the Abandoned and Derelict Vehicle Task Force, this question did come up. There is some discussion with the Police Department and also with Michael Moule, Engineering, putting together an overall on our parking bills. So I am working with Christiane right now, determining the outline of that. We definitely know that some things need to be changed in that ordinance, so you can anticipate that we will be coming forth with another bill to support this. Just as a reminder, this study is still far out, it needs to be completed before all this comes together. Maybe we can see them culminate in the future to address it. I will also say, while the study does not inform how it is we are going to do it, there are a lot of mechanisms now that do not require any infrastructure in place to manage—not only in the parking structure or parking area, but even outwards. So we are looking at some of those that are high opportunities that just require coordination of the Tax Department or Vehicle Department to track, based on registrations—which ones are visitors and not—that can help to oversee the parking needs.

Council Chair Kaneshiro: Are there any further questions?
Councilmember Carvalho.

Councilmember Carvalho: I wanted to add a little bit more. I know it is already in second reading, Councilmember Evslin and Councilmember Chock, but just to put it on the table, because there are also fees that are generated within these parks, we will go specific to that park. We should also consider looking at tying it into the stream and river maintenance program, maybe some of the funding can go there to help too, incorporating some of the support there, because a lot of our parks are adjacent to that area. I was kind of thinking about that. Overall, I totally support the Bill, but I do not know how flexible we can be, but the fees that are generated, I guess we can talk about that later, per the study. But overall, I think that would be another added part

that we can at least talk about. A lot of our parks are adjacent to rivers and streams, so we will be talking about that shortly. I just wanted to put that on the table. Thank you for the Bill.

Council Chair Kaneshiro:

Councilmember DeCosta.

Councilmember DeCosta: Councilmember Evslin and Councilmember Chock, did you folks look at other counties across the nation that might have this kind of overflow in their parking and if they have a community sheriff, not necessarily a police officer, but just a community sheriff that is able to give a parking ticket or be able to monitor the flow, because it seems like our police department is busy and I would not want to take away from all their hard work and responsibilities to give a parking ticket for a tourist from Missouri who parked and caused traffic.

Councilmember Chock: I will respond to that. What we have seen, in terms of some of the presentations that we have had, is very proficient within the parking structure that we are talking about managing, but we do believe, according to some of the people we have talked to, is that the ability to manage outside of that, which is what you are talking about, is there and is actually more proficient than our current system, where right now police still do have to go out and give parking tickets and so forth. From what I understand, it can be third-party, to a certain degree, depending on how we set that up in the future.

Council Chair Kaneshiro:

Councilmember Evslin.

Councilmember Evslin: I will briefly add to that. I do not think we need to necessarily look outside of Kaua'i for good models. I have heard Kē'e was described as a three-legged stool in some capacity. You have the managed parking within the park, you have increased enforcement efforts outside of the park, which they have been doing, there are some extra funding for KPD in the past to do more enforcement over there, better signage that identifies "no parking" areas, then the third-leg is alternative transportation into the park. I do not necessarily know if we are going to get all three (3) of those legs up to par for all of our County beach parks, but I certainly think it is a good model for us to keep in mind as we go forward. Certainly it is important as Vice Chair Chock said, as I understand, as he said possible, to deputize your parking enforcement, who could be a private vendor to issue citations here and outside of the beach park.

Council Chair Kaneshiro:

Councilmember DeCosta.

Councilmember DeCosta: Councilmember Evslin, I highly agree with you on Kē'e Beach, although Kē'e Beach is not like all of our beach parks, where there is one-way in and one-way out. I think at Polihale it might work well, although that is a State area, but a lot of our beaches in Kōloa there are multiple entrances all over the place. I just think the study should be versed before we commit.

Councilmember Evslin: Certainly, that is the intent of the study here. Hopefully, they can identify some prime candidates to go forward with a pilot project to see how it works. Yes, I agree.

Council Chair Kaneshiro: Are there any further questions from the Members? If not, I will call this meeting back to order. Is there any final discussion from the Members? Councilmember Evslin.

Councilmember Evslin: I just want to thank the Department of Parks & Recreation. This has been a long-haul Bill that we have been playing with for a while. We have gone through a number of iterations, including laying out five (5) pages of structure for what this paradigm would look like to narrowing it back down. The Department of Parks & Recreation has been willing to go along and be supportive of the idea all along. I am looking forward to the work they are going to do and actually figure out how to implement this. I think it is a good step forward for Kaua'i.

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. 2805, 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.

Council Chair Kaneshiro: The motion passes. Next item, please.

Bill No. 2806 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Parks & Recreation RAIN20 Event – \$660,000.00*)

Councilmember Kuali'i moved to approve Bill No. 2806 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 from the Members? I will suspend the rules. Councilmember Cowden.

Councilmember Cowden: I have a quick question. Is Wally here?

There being no objections, the rules were suspended.

WALLACE G. REZENTES, JR., Deputy Director of Parks & Recreation (*via remote technology*): I am here.

Councilmember Cowden: I was driving over Wailua Bridge this morning and it looked like the ocean was right there. Did anyone down at Lydgate Park look how high it is? Do you know? What if it washes all this stuff away? I was kind of hoping it would. I hope it would wash that sandbar and the wood that we need to clean up. Has anyone taken a look at that?

Mr. Rezentes: Yes, our staff looks at it. The conditions will dictate some of that, but we do not feel that everything will be dislodged from the sides of the banks and on the rocks. I would imagine that whoever the contractor is at the time when we do the assessment, that the debris there is what is going to be bid on, so if it is less, it is less, if it is more, it is more.

Councilmember Cowden: Okay, so if it is less then we will have excess money and then we will talk about what we do with the rest of it, is that what happens? How does that money get handled when we allocate it? We have done six hundred sixty thousand dollars (\$660,000), then say we spend two hundred thousand dollars (\$200,000) picking it up; where does the other four hundred sixty thousand dollars (\$460,000) go?

Mr. Rezentes: At the end of the year it will lapse, this is General Fund money, so it will lapse at the end of June.

Councilmember Cowden: Okay, thank you.

Council Chair Kaneshiro: Are there any other questions from the Members? If not, I will call this meeting back to order. Is there any final discussion from the Members? I will suspend the rules again. Wally, do you have a comment?

Mr. Rezentes: Basically, right now we are going to seek FEMA approval and that is how we premised our approval with the County Council. Ultimately, the way it works with FEMA is we front the moneys, then on the backend after they check us out to make sure we have "dotted our i's and crossed our t's" they reimburse us eighty percent (80%) of the moneys that we expended. It is our understanding that the Governor's Emergency Proclamation will end likely tomorrow and our goal is to obtain the services of a construction firm by tomorrow, as well. We are in touch with HI-EMA, as far as what we need to do to be in the best position to obtain HI-EMA approval, as well as FEMA approval for the reimbursement. We have had discussions as of early as this morning with our folks at KEMA who help guide and connect us with the HI-EMA and FEMA folks. Our intention is still to go after the FEMA funds, but the procurement method that we will use will be a certain version would not go through the full procurement process, but we fully intend to get

competition and the way FEMA works and looks at it, though our understanding is the more competition we get, the more favorable the likelihood of getting the reimbursement on the backend. That is the gist of where we are at right now.

Council Chair Kaneshiro: Are there any further questions from the Members? If not, I will call this meeting back to order. Is there any final discussion from the Members? Roll call vote.

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

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

The motion to approve Bill No. 2806 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, Kualii, 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. 2807 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, 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 (Half Year) – \$7,467,500.00)*

Councilmember Kualii moved to approve Bill No. 2807 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 from the Members? If not, is there any final 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 to approve Bill No. 2807 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, Kualii, 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. 2808 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*General Fund Unassigned Fund Balance (Ho'olako/Ka'ana Parcel Improvements) – \$1,400,000.00*)

Councilmember Kualii moved to approve Bill No. 2808 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 from the Members? If not, is there any final 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 to approve Bill No. 2808 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, Kualii, 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. 2809 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-867, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND GENERAL FUND-CIP (*Ho'olako/Ka'ana Parcel Improvements Defunding – \$4,500,000.00*)

Councilmember Kualii moved to approve Bill No. 2809 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 from the Members? If not, is there any final discussion from the Members? 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. 2809 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, Kualii, 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. 2810 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*HGEA Retroactive Raises – Grant-Funded Positions*)

Councilmember Kualii moved to approve Bill No. 2810 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 from the Members? If not, is there any final discussion from the Members? 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. 2810 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, Kualii, Kaneshiro	TOTAL – 7,
AGAINST ADPPROVAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

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

Bill No. 2811, Draft 1 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-866, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*COVID-19 Funding For 2021 – \$2,000,000.00*)

Councilmember Kualii moved to approve Bill No. 2811, 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: Are there any questions from the Members? If not, is there any final discussion from the Members? 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. 2811, 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, Kualii, 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. 2812 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2020-867, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2020 THROUGH JUNE 30, 2021, BY REVISING THE AMOUNTS ESTIMATED IN THE BOND FUND AND GENERAL FUND-CIP (*HRMS, Payroll & Personnel System – \$1,335,000.00*)

Councilmember Kualii moved to approve Bill No. 2812 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember DeCosta.

Council Chair Kaneshiro: Are there any questions from the Members? If not, is there any final discussion from the Members? 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. 2812 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, Kualii, 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, before we conclude our Council Meeting, let us read ourselves into Executive Session, which we will take at the end of the day.

EXECUTIVE SESSION:

ES-1037 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing and request for settlement authority in the matter of Joseph Pimental, Jr. v. Puamelekule Sagocio, et al., Civil No. 17-1-0107 (Fifth Circuit Court). This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

Councilmember Cowden moved to convene in Executive Session for ES-1037, seconded by Councilmember Chock.

Council Chair Kaneshiro: Are there any questions or discussion on this item?

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

The motion to convene in Executive Session for ES-1037 was then put, and unanimously carried.

Council Chair Kaneshiro: Seeing no further business and hearing no objections, this Council Meeting is now adjourned.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 12:31 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Jade K. Fountain-Tanigawa', with a long horizontal flourish extending to the right.

JADE K. FOUNTAIN-TANIGAWA
County Clerk

:jy