

COUNCIL MEETING

NOVEMBER 3, 2021

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, November 3, 2021 at 9:07 a.m., after which the following Members answered the call of the roll:

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

Council Chair Kaneshiro: Good morning. Today's meeting will be conducted pursuant to Governor Ige's COVID-19 Delta Response Emergency Proclamation with the most recent relating to the Sunshine Law dated October 1, 2021. Please note that we do have registered speakers for our Public Hearing this morning. We do have people waiting patiently for various items this morning so I would like to remind Councilmembers that clarifying questions should be limited only to asking a testifier to repeat or clarify their position and not to give them a greater opportunity to testify over others. After the Public Hearing, we will proceed with our Council Meeting, followed by our Committee Meetings, and conclude with our Executive Session.

APPROVAL OF AGENDA.

Councilmember Kuali'i moved for approval of the agenda, as circulated, 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 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:

October 20, 2021 Council Meeting

October 20, 2021 Public Hearing re: Bill No. 2836 and Bill No. 2837

Councilmember Kualii moved to approve the Minutes, as circulated, seconded by Councilmember DeCosta.

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

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

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

Council Chair Kaneshiro: The motion is carried. Next up, we have interviews. The first interview is with Bronson Bautista for Charter Review Commission.

INTERVIEWS:

CHARTER REVIEW COMMISSION:

Bronson I. Bautista – Term ending 12/31/2022

ELLEN CHING, Boards & Commissions Administrator (*via remote technology*): Good morning. Ellen Ching, Boards & Commissions Administrator. Today, I am pleased to introduce you to Bronson Bautista. Bronson was born and raised on Kaua'i. As he likes to say, "He is a proud graduate of Kapa'a High School, Home of the Great." Right out of high school, he jumped into the working world and was employed at a mortgage company and tried his hand in the hospitality industry working his way up to Housekeeping Night Supervisor. His father Felipe was an entrepreneur. When Bronson was a sophomore in high school, his father encouraged him to get a General Excise Tax (GET) license. The seed was planted. Given his family background, it should not be a surprise that in 2011, Bronson started his own hunting and fishing business. In 2019, he added a security business as well. Maybe it is surprising given that Bronson is a "millennial." Typically, millennials are the children of baby boomers. We have all heard or seen people shake their heads about this generation. However, millennial journalist, Jill Filipovic, believes that millennials have faced unique hardships that set their generation apart. Only now have they started to grasp the depth of the mess they have been left with, climate change, federal debt, and the growing economic disparities. She provides us with these statistics – Millennials make up to close to a quarter of the United States (U.S.) population, but hold just three percent (3%) of the wealth. In contrast, when boomers were their age, they held twenty-one percent (21%). The average millennial worth is

just eight thousand dollars (\$8,000), less than adults of any generation in three (3) decades. Nearly eighty percent (80%) of Senators and two-thirds (2/3) of the U.S. House of Representatives are fifty-five (55) and older. Just seven percent (7%) of representatives in Congress are millennials. There is not a single millennial in the U.S. Senate. Boomers well into their sixties (60s) and seventies (70s) retain significant control over U.S. politics. What she states means that millennials will not get the kind of investments they need. I am a baby boomer, and I believe she has a point. Looking at the volunteers on the Boards and Commissions, there are maybe two (2) or three (3) millennials at best. Yet, it is this generation that will have to live with the decisions that are made. They are building their careers, their families, and looking for a way to build or own a house. When I asked Bronson what he does with his free time, he replied, "What free time, I am always working." He has never served on a Board or Commission, and he does not have a lot of time. So, I am very thankful that he is willing to volunteer what little time he has and his perspective to the Charter Commission. Thank you.

Council Chair Kaneshiro: Thank you, Ellen. Bronson, do you have anything to add to that introduction?

BRONSON I. BAUTISTA (*via remote technology*): Thank you, Ellen. Thank you, Councilmembers, for your time. I really look forward to trying to bring a new positive perspective from my generation and look to set forth more service, so that we can look to our future.

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

Councilmember DeCosta: Hello, Bronson. How are you?

Mr. Bautista: I am doing good, how are you?

Councilmember DeCosta: Nice. Thank you. Being from the millennial age and being a little younger than most of our commissioners, how do you feel about dealing with the older generation who can be powerful influences when it comes to making decisions.

Mr. Bautista: I love it. I love dealing with everybody that we have in our community. I think that the best way to put your best foot forward is by engaging with everyone that is here. That is the best way to come up with solutions if one is needed.

Councilmember DeCosta: Thank you, Bronson. I am proud that you come from our community, a local boy, and taking a step in the right direction. Thank you very much, Bronson.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I also really want to thank you so much for taking on this responsibility. This is an important one, the Charter Review Commission. Have you had much discussion on what the Charter is?

Mr. Bautista: I have not gotten too much, but I have been doing my own research, and I am very excited.

Councilmember Cowden: Okay. The Charter is comparable to the U.S. Constitution. So, State and Federal government, they do not have a constitutional review commission. What you are doing is incredibly important, and I value bringing in the next generation. What happens when you make a decision on this is not exactly cut in stone, but very close. It is really important, when you are looking at the choices that you are making in there, to understand how it might take power away from the elected, or it may be giving power. I am happy that you are taking on this responsibility. I am hearing you say that you are very busy. I am wanting to respectfully encourage you to understand the deep impact that ends up happening. Most of our Charter changes have come from the departments and it is what the staff wants. It is really important that what changes is what the people want, and that we keep our elected empowered so we can keep our people there. I am encouraging the looking at it so that your generation has the flexibility for what you need. I welcome you as the next generation. Thank you so much.

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

Councilmember Evslin: Bronson, I want to thank you for being willing to serve. I think in my three (3) years here, you might be the youngest person to come before us, or certainly one of the youngest. As Ellen said eloquently, you bring a valued perspective as a millennial. The fact that you are busy and struggling to make time for this, adds to your value, because you understand like every young person on Kaua'i, how hard it is to make it here. We are all hustling in so many different directions. As you or Ellen said, the reason young people often cannot serve is because they do not have the time. I really appreciate you making time in your busy schedule to do this, and I am sure you are going to do a lot of good. Thank you.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: Aloha, Bronson. I have known your *'ohana* for a long time. I am so happy that you are stepping up. I know that you have a lot of responsibility. I know that you have a good support system around you should you have any questions. I know that you are going to make your own decisions. I am really proud of you and I look forward to your great *mana'o* that you will bring to the table. I am very happy that you are stepping up and taking this responsibility. It is a big responsibility, but I know that you can handle that. Good job. Aloha.

Council Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: Hi, Bronson. I will reiterate what Councilmember Carvalho said. It is so important as a millennial to sometimes listen

to the ones who came before you. I like to think that I am one of them who came before you. I want to let you know that ethic is the most important part, what is in your heart, that you make the best decision for the best of our community and our people. I know you were raised that way. I know you personally, and I know your family. You come from the utmost respect. Do not change. Make decisions that benefit our people. That is who we are in here. Whether you are on the Boards and Commission or on the Council, we are public servants to our community. Thank you.

Council Chair Kaneshiro: Councilmember Chock.

Councilmember Chock: Thank you, Chair. Bronson, thank you. I am also excited to see you onboard. Thank you for your service. Having millennials step up is really important. We need to create space for your generation to begin to lead, because you will be the next powerhouses after the boomers phase out, as they are now. I hope this serves as an example to others to step up as we need your voice and your generation heard. I will be supporting your role here for us. Thank you very much.

Council Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: *Aloha*, Bronson. I want to say *mahalo nui loa*. I want to throw something out there for you to think about as a young person who may be diving into new issues. If I was a young person again, starting out, and maybe can be in this position and knowing what I know, one thing I would work on...I am not absolutely sure about this, but you can follow up on it. Basically, the Charter is our Constitution. It is the most sacred document of our County. In my opinion, it should be difficult to change it. Many people have worked on it for many years, and it has been working well. It should be really difficult to change. Look at what it takes to change the Charter and how many citizens it takes to sign a petition, et cetera. More importantly, look at how the votes are done. I lived in California for many years and worked for the City of West Hollywood and being active with the County government. In California, to change their Constitution, it takes a Proposition. When the voters vote on a proposition, you can vote yes, no, or not vote and leave it blank. In California, the blanks count as a no. To me, that makes sense because "no" means that I have not taken the time to study this issue and I am not interested in initiating a change, so I did not vote "yes." Noes and blanks should all be considered against the change that is trying to be made. That would make it more difficult to change the Constitution. I believe that we should throw out the blanks, and it is either yes or no. There is an argument for that too. Look at it and think about how sacred our constitution is and how difficult it should be to change. Thank you.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I said most of what I was going to say. I will follow up on what he is saying. Take a good look at the Charter and understand what it means. There is deeper responsibility with what you are doing in many ways than what we do. None of it should be cavalier. It really is a big responsibility. When you are representing your generation, my hope is that you will be reaching out to people around you of any generation, but your own generation, to be contemplating what

that means. How tight or how flexible the Charter is the difference between freedom and less freedom. At a County level, the choices we make here impact people's lives on a daily basis, sometimes more than on the State or National level. This is a very important job. I welcome you to the table. I am going to support you in this, I honor you, and I encourage you to take the task very seriously. Do not be discouraged when a lot of changes are not made, because you are protecting it as much as anything else. Thank you so much.

Council Chair Kaneshiro: Is there anyone else? For me, I know Bronson personally. You are a business owner, you are active in the community, and I have all the confidence in the world in your ability to think critically and take part in decisions that will directly affect you and future generations. I want to thank you for your commitment to be on this Commission. This is a very important Commission, as you heard from all the other Members. I think that you will get very good experience learning how the process works and how easy or how difficult it is to make changes to the Charter. It is a good step for you, and it is a great position for you to be in especially because the decisions that you make are going to affect you and future generations. I will be in support of you, Bronson, for the Charter Review Commission. Is there any further discussion from the Members? If not, thank you Bronson. Our next interview is with Jeffrey Iida, Civil Service Commission.

CIVIL SERVICE COMMISSION:

Jeffrey S. Iida – Term ending 12/31/2024

Ms. Ching: Ellen Ching, Boards & Commissions Administrator. I would like to introduce you to Jeff Iida. Jeff was born and raised on Kaua'i and is a proud Red Raider graduate of Kaua'i High School. I think all of you are too young to remember, but Jeff's first job was at the Kaua'i Surf, which was the original hotel at Kalapakī. This started his career in the travel industry. He was part of the team that opened the Hilton, the Westin, and the Marriott hotels. After a short stint on O'ahu and Maui, Jeff returned to Kaua'i as the "buyer" at Pahio, and then the Assistant Resort Manager at Wyndham. All of his working experience in sales, purchasing, and management, has been put to great use as the Restore Manager for Kaua'i Habitat for Humanity. There, he has increased sales by twenty percent (20%) with all proceeds being reinvested into Habitat services that is helping families build their own homes on Kaua'i. In his free time, Jeff enjoys fishing and golfing. His favorite food is king crab. Jeff has served on the Civil Service Commission before, and I am grateful for his willingness to serve again. During the past year or so, there have been three (3) resignations for health and personal reasons. Jeff's past experience and his institutional knowledge of this Commission will be a great resource to the current members. We look forward to his contributions. Thank you.

Council Chair Kaneshiro: Hey, Jeff, is there anything that you want to add to that?

JEFFREY S. IIDA (*via remote technology*): Good morning, Councilmembers. I am willing to serve again, because I think it is very important that you serve on Commissions to help the County and the people of Kaua'i with what we need to get done.

Council Chair Kaneshiro: Thank you. I know you served on Commissions before. Are there any questions for Jeff from the Members? Councilmember Cowden.

Councilmember Cowden: I will blend this with my final say. I am happy to have you back. Thank you for all the work you have done and your willingness to step back in. How much of your history...did you do any work directly with the unions? Was it when you were in the resort industry you worked with the union or private?

Mr. Iida: It was both with Meadow Gold and the hotels. When I worked for Meadow Gold, I helped negotiate the new contract that we had to do. I worked with the International Longshore and Warehouse Union (ILWU). We had to submit and confirm a new contract for our employees.

Councilmember Cowden: Okay. I think that is a great skill and experience to have. When I am looking at the Habitat for Humanity and in the mix with Pahio, you have a lot of experience in private sector that is non-union. Is that correct?

Mr. Iida: That is correct.

Councilmember Cowden: I think it makes an excellent match to be determining different perspectives. I think that our civil service is mostly union, but it is always good to be able to make that comparison. Thank you. I will warmly support your continuance, and I appreciate the balance in your history.

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

Councilmember Evslin: Thank you, Jeff, for your willingness to serve. As I said to Bronson, a fresh perspective is really valuable, just as valuable is the steady guiding hand of experience. You bring a wealth of experience in the Civil Service Commission, and I appreciate your willingness to come back. Thank you.

Council Chair Kaneshiro: Is there anyone else? If not, thank you Jeff, and thank you for being willing to serve again.

Mr. Iida: Thank you.

Council Chair Kaneshiro: Next up, we have Francis Kaawa for Civil Service Commission.

CIVIL SERVICE COMMISSION:

Francis K. Kaawa – Term ending 12/31/2024

Ms. Ching: Ellen Ching, Boards & Commissions Administrator. Last, but not least, I would like to introduce you to Francis Keahiluna Kaawa or “Ahi” to his friends. Francis was born on O’ahu and initially raised in

Nanakuli. His dad was in the military, so he also attended school in Seattle and Canada. Ultimately, his family settled on Maui where Francis graduated from Maui High School. From there, he went onto college and earned his bachelor's degree in business at the University of Hawai'i, Mānoa. His family owns a large trucking company, and he was immediately put to work supervising their Young Brother's division. He would have probably stayed on Maui if not for cupid's arrow. In the late 1990s, Francis met and married Ranelle, a Kaua'i girl, and settled in Kalāheo. Relocating to Kaua'i, he opened Home Depot as the Delivery Coordinator. He tried his hand in the hospitality industry as the Regional Inventory Coordinator. He was responsible for four (4) properties, Marriott Kaua'i Beach Club, Marriott Waiohai Beach Club, Marriott Ko Olina Beach Club, and Marriot Maui Ocean Club, before he accepted a position at Ace Hardware as the 'Ele'ele Branch Manager. Most recently, as only a few days ago, Francis is now the General Manager for Honsador Lumber at Nāwiliwili and Kīlauea. He is a great cook and loves to cook Filipino food. In his free time, he enjoys going to Kōke'e with his family, hiking and picnicking to enjoy its natural beauty, and enjoys the device-free zone. Francis has had a lot of experience in a variety of fields, the trucking industry, retail, and hospitality, but he has never served on a board or commission. I am pleased and thankful that Francis is willing to join the Civil Service Commission and contribute his time and talents. Thank you.

FRANCIS K. KAAWA (*via remote technology*): Thank you, Ellen.

Council Chair Kaneshiro: Thank you. Francis, is there anything that you want to add to that introduction?

Mr. Kaawa: No. I am excited to find a new way to serve my community.

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

Councilmember Cowden: Thank you again for wanting to help our County and community. When I look at your range of work, I particularly like hearing about your trucking experience. We have heavy equipment participants and issues that are in front of us. Can you give me a brief contrast and comparison of your experience with union, private sector...and it sounds like you did management? I am curious on your thoughts on that.

Mr. Kaawa: To touch on the union and my experience, I dealt with a lot of situations with Young Brothers Hawai'i being union. My secondary contact with union would be my time with Marriott. On the private side, it is what it is. You have your labor laws, formats, and human resources guidelines that you follow and adhere to their processes. By doing so, at the end of the day, we know we did our job.

Councilmember Cowden: Thank you.

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

Councilmember DeCosta: Wow. I am hit here in a sense of awe. Ahi, as I am able to call you that because you are my personal friend. I am impressed. These people do not know this, but I am going to tell you folks that he a man of ethics, good morals, and I am proud to see your name on the table.

Mr. Kaawa: Thank you, brother.

Councilmember DeCosta: You got my full support. If there is any way that we can assist you, let us know. Welcome.

Mr. Kaawa: Thank you.

Council Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: Francis, I want to thank you for your willingness to serve here. You obviously bring a wealth of experience in a diverse background with construction, trucking, and resorts. I think that you are going to do a lot of good. Congratulations on the new position at Honsador Lumber. Thank you.

Mr. Kaawa: Thank you.

Council Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Mine will be pretty simple and echoing what we are hearing. I really like what you are bringing to the table. You have so much depth of different aspects from retail, shipping, and the visitor industry. You are going to have a lot of background in understanding different approaches and different perspectives. The County mirrors that in a way because we have a diverse range of types of skills that are on our team. I think that will be an excellent piece to be bringing to the table. I welcome you onto our Civil Service Commission.

Mr. Kaawa: Thank you.

Council Chair Kaneshiro: Councilmember Carvalho.

Councilmember Carvalho: I know you and your *‘ohana*. It is awesome that you are stepping to the plate. With all of your *mana‘o* and background, I know that you have a wealth of understanding overall, because I know you. I support you being at the table. *Aloha*. I look forward to talking story with you.

Mr. Kaawa: *Mahalo*, thank you.

Council Chair Kaneshiro: Is there anyone else? If not, thank you. the votes for these Commissions will come up at our next Council Meeting in two (2) weeks. Thank you everybody for being willing to serve. Next up, we have our Consent Calendar.

Mr. Kaawa: Thank you.

CONSENT CALENDAR:

C 2021-244 Communication (09/23/2021) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Beverly A. Gotelli (Labor) to the Civil Service Commission – Term ending 12/31/2023.

C 2021-245 Communication (10/04/2021) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral reappointments to various Boards and Commissions for the County of Kauaʻi:

- a. Board of Review
 - Katherine L. Otsuji – Term ending 12/31/2024
- b. Board of Water
 - Kurt Akamine – Term ending 12/31/2024
- c. Charter Review Commission
 - Reid R. Kawane – Term ending 12/31/2024
 - Lori K. Koga – Term ending 12/31/2024
- d. Civil Service Commission
 - V. Pamai Cano – Term ending 12/31/2024
- e. Fire Commission
 - Jennie Chahanovich – Term ending 12/31/2024
 - Alfredo C. Garces – Term ending 12/31/2024
- f. Historic Preservation Review Commission
 - Stephen W. Long (*Planning*) – Term ending 12/31/2024
 - Carolyn Larson (*History*) – Term ending 12/31/2024
- g. Public Access, Open Spaces and Natural Resources Preservation Fund Commission
 - Taryn A. M. Dizon (*Waimea/Kekaha*) – Term ending 12/31/2024

Councilmember Kualii moved to receive C 2021-244 and C 2021-245 for the record, seconded by Councilmember DeCosta.

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

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

The motion to receive C 2021-244 and C 2021-245 for the record, was then put, and unanimously carried.

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

COMMUNICATION:

C 2021-246 Communication (10/15/2021) from the Chief of Police, Deputy Chief of Police, and Mark Begley, Assistant Chief of Police, Patrol Services Bureau, requesting Council approval to receive and expend Federal funds, in the amount of \$364,790.00, from the recurring National Highway Traffic Safety Administration (NHTSA) grant to be used towards the following six (6) primary traffic related functions: Data Traffic Records, Distracted Driver, Occupant Protection, Road Block / Youth Deterrence, Speed, and Traffic Services, to include purchase of equipment, supplies, training, travel expenses, media expenses, et cetera.

Councilmember Kualii moved to approve C 2021-246, seconded by Councilmember Cowden.

Council Chair Kaneshiro: Are there any questions from the Members on this item? Councilmember Cowden. Again, this is a recurring grant.

Councilmember Cowden: Yes, this is a recurring grant. Do you mind just giving us a very simple review in part for the public and just to keep us up to speed on what you are doing? It does not have to be deep. I appreciate that this is being done.

There being no objections, the rules were suspended.

VERNON JAY SCRIBNER, Acting Lieutenant (*via remote technology*): The moneys that we are receiving from the Traffic Services Grant will be used to send two (2) officers off-island to attend classes to become Certified Crash Reconstructionist. Any time we get a fatal or serious injury crash, the Traffic Unit responds and to basically reconstruct the crash, you need to be a Certified Reconstructionist. The Distracted Driver moneys will be used to pay officers overtime to conduct projects to help deter the distracted drivers on our roads. Occupant Protection, also known as seatbelts, moneys will be used to pay officers overtime to do seatbelt and child seatbelt compliance enforcement, and to send representatives to the annual Lifesavers Conference. This year it is being held in Chicago. We also would like to use the moneys to certify at least four (4) officers to become Certified Child Restraint Technicians. For the Speed grant, the moneys will be used to conduct speed enforcement projects on overtime and purchase five (5) new handheld laser speed detection devices and five (5) vehicle-mounted radar speed detection devices. Impaired Driving moneys will be used for overtime to conduct sobriety checkpoints.

and saturation patrols to deter impaired drivers on our roadways and conduct projects to enforce underage alcohol consumption. Moneys will also be used for public service announcements to provide education and encourage the youth not to drink or consume alcohol. That grant also pays for a representative to attend the quarterly Traffic Commanders meetings. The Traffic Records grant funds trips to O'ahu for the quarterly Traffic Records Coordinating Committee and to send one (1) representative to the annual International Forum on Traffic Records Highway and Information Systems, and also to help fund the interface between our Records Management System and the Hawai'i Incident Geolocation System to better locate crash sites on our report writing system.

Councilmember Cowden: Okay, thank you. I want to acknowledge that on Monday we had a very significant fatality on the road. It seems like yesterday we had another big traffic block in the same area. I never did learn what that was. Our traffic safety is critical. It affects every one of our lives and I want to thank you very much for your work.

Acting Lieutenant Scribner: Thank you. I appreciate that.

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

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

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

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

The motion to approve C 2021-246 for the record was then put, and unanimously carried.

Council Chair Kaneshiro: The motion is carried. Thank you, Jay. Next item.

LEGAL DOCUMENT:

C 2021-247 Communication (10/18/2021) from the Acting County Engineer, recommending Council approval of a Grant of Easement including the indemnification provisions contained therein made by and between the County of Kaua'i and GCT Properties (Mokihana Hotel), situated at Tax Map Key (TMK) No. (4) 4-3-007:011 (Portion), for a perpetual non-exclusive easement to build, construct, reconstruct, rebuild, repair, maintain and operate a bike and pedestrian shared-use path for public access purposes.

- Grant of Easement

Councilmember Kualii moved to approve C 2021-247, seconded by Councilmember DeCosta.

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

Councilmember Cowden: Thank you for this. We did not get any information...last time we had some work, there was a lot of resistance. Are you hearing about any resistance that may not have made it to us on this easement that we should be aware of?

There being no objections, the rules were suspended.

TROY K. TANIGAWA, Acting County Engineer (*via remote technology*): We have not received any opposition to this segment of the path. We have an agreeable landowner who has already executed the Grant of Easement. Today's segments of the path are in construction. We have the right-of-way access to all segments of the path that extends from the Uhelekawawa Bridge on Kūhiō Highway, all the way through this segment of the path that is under construction for the time being. Today's request for approval is for a portion of a segment of the path that is under construction. It is the northern part of this construction project from the Uhelekawawa Bridge...I will share my screen to show an example or illustration of...

Councilmember Cowden: This is near the Bull Shed Restaurant, right? It is already done pretty much, I think.

Mr. Tanigawa: Are you seeing this map?

Council Chair Kaneshiro: No.

Councilmember Cowden: Not yet.

Mr. Tanigawa: The highlighted portion...

Council Chair Kaneshiro: We cannot see your shared screen.

Councilmember Cowden: Is this easement happening after-the-fact? It seems like it is pretty much done already.

Mr. Tanigawa: Yes, we have a construction right-of-entry that allowed us to start construction.

Council Chair Kaneshiro: Okay, we can see something now.

Mr. Tanigawa: Sorry, Council Chair, I did not get that last part. Can you see the map?

Council Chair Kaneshiro: We do not see the map; we see a cover letter.

Mr. Tanigawa: Let me try to adjust it. Let us try this again.

Council Chair Kaneshiro: We do have the exhibit, Exhibit "C".

Councilmember Cowden: I am clear. I just wanted to make sure that it is also out there for the record. It sounds like the owners are willing. I have talked to several people in that area as it is being built. It sounds like it is all good.

Mr. Tanigawa: Yes. The owners signed the Grant of Easement and the last part of it is to get Council approval so that we can get the County Clerk sign. It will then go to the Bureau of Conveyances to get finalized into the record.

Councilmember Cowden: Okay, thank you. Those are all my questions.

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

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

Council Chair Kaneshiro: Is there any final discussion on this item?

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

The motion to approve C 2021-247 was then put, and unanimously carried.

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

COMMITTEE REPORT:

PARKS & RECREATION / TRANSPORTATION COMMITTEE:

A report (No. CR-PRT 2021-02) submitted by Parks & Recreation / Transportation Committee, recommended that the following be Received for the Record:

"Communication (09/28/2021) from Councilmember Cowden, requesting the presence of the Director of Parks & Recreation and the Deputy Director of Parks & Recreation, to provide an update on Black Pot Beach Park, the status of providing picnic tables at each County park, and the status of tree and vegetation removal at County parks,"

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

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

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

RESOLUTIONS:

Resolution No. 2021-31 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CIVIL SERVICE COMMISSION *(Beverly A. Gotelli)*

Councilmember Cowden moved for adoption of Resolution No. 2021-31, seconded by Councilmember Kualii.

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

Councilmember Kualii moved to amend Resolution No. 2021-31, as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 1, seconded by Councilmember Chock.

Council Chair Kaneshiro: Are there any questions on the Floor Amendment? It is a housekeeping item.

The motion to amend Resolution No. 2021-31, as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment 1 was then put, and unanimously carried.

Council Chair Kaneshiro: We are back to the main motion as amended. Are there any questions or discussion from the Members? If not, we will take a roll call vote.

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

The motion for adoption of Resolution No. 2021-31, as amended to Resolution No. 2021-31, Draft 1, 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
RECUSED & NOT VOTING: None

TOTAL – 0,
TOTAL – 0.

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

Resolution No. 2021-32 – RESOLUTION CONFIRMING MAYORAL
REAPPOINTMENT TO THE BOARD OF REVIEW (*Katherine L. Otsuji*)

Councilmember Cowden moved for adoption of Resolution No. 2021-32,
seconded by Councilmember Kualii.

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

Councilmember Cowden: I just wanted to collectively thank all of the
people who are recommitting the time. These are very good people that have
contributed a lot and have a lot of capacity. I just wanted to say thank you on the
record to all of them.

Council Chair Kaneshiro: Does anyone else have any discussion? If not,
roll call vote.

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

The motion for adoption of Resolution No. 2021-32 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.

Resolution No. 2021-33 – RESOLUTION CONFIRMING MAYORAL
REAPPOINTMENT TO THE BOARD OF WATER SUPPLY (*Kurt S. Akamine*)

Councilmember Kualii moved for adoption of Resolution No. 2021-33,
seconded by Councilmember Carvalho.

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

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

The motion for adoption of Resolution No. 2021-33 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. 2021-34 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE CHARTER REVIEW COMMISSION (*Reid R. Kawane*)

Councilmember Kuali'i moved for adoption of Resolution No. 2021-34, seconded by Councilmember DeCosta.

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

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

The motion for adoption of Resolution No. 2021-34 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. 2021-35 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO CHARTER REVIEW COMMISSION (*Lori K. Koga*)

Councilmember Kuali'i moved for adoption of Resolution No. 2021-35, seconded by Councilmember Carvalho.

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

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

The motion for adoption of Resolution No. 2021-35 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. 2021-36 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE CIVIL SERVICE COMMISSION (*V. Pamai Cano*)

Councilmember Kuali'i moved for adoption of Resolution No. 2021-36, seconded by Councilmember Cowden.

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

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

The motion for adoption of Resolution No. 2021-36 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. 2021-37 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE FIRE COMMISSION (*Jennie Chahanovich*)

Councilmember Kuali'i moved for adoption of Resolution No. 2021-37, seconded by Councilmember Carvalho.

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

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

The motion for adoption of Resolution No. 2021-37 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.

Resolution No. 2021-38 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE FIRE COMMISSION (*Alfredo C. Garces*)

Councilmember Kualii moved for adoption of Resolution No. 2021-38, seconded by Councilmember Carvalho.

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

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

The motion for adoption of Resolution No. 2021-38 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.

Resolution No. 2021-39 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE KAUAI HISTORIC PRESERVATION REVIEW COMMISSION (*Stephen W. Long – Planning*)

Councilmember Kualii moved for adoption of Resolution No. 2021-39, seconded by Councilmember Carvalho.

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

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

The motion for adoption of Resolution No. 2021-39 was then put, and carried by the following vote:

FOR ADOPTION:	Carvalho, Chock, Cowden, DeCosta	
	Evslin, Kualī'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. 2021-40 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE KAUAI HISTORIC PRESERVATION REVIEW COMMISSION (*Carolyn R. Larson – History*)

Councilmember Kualī'i moved for adoption of Resolution No. 2021-40, seconded by Councilmember Cowden.

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

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

The motion for adoption of Resolution No. 2021-40 was then put, and carried by the following vote:

FOR ADOPTION:	Carvalho, Chock, Cowden, DeCosta	
	Evslin, Kualī'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. 2021-41 – RESOLUTION CONFIRMING MAYORAL REAPPOINTMENT TO THE PUBLIC ACCESS, OPEN SPACE, NATURAL RESOURCES PRESERVATION FUND COMMISSION (*Taryn A. M. Dizon – Waimea / Kekaha*)

Councilmember Kualii moved for adoption of Resolution No. 2021-41, seconded by Councilmember Carvalho.

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

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

The motion for adoption of Resolution No. 2021-41 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.

EXECUTIVE SESSION:

ES-1064 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 Council with a briefing and request authority for a possible settlement proposal in a claim filed by Hawaiian Telcom, Inc. and related matters. 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 Kualii moved to convene into Executive Session for ES-1064, seconded by Councilmember Chock.

Council Chair Kaneshiro: Are there any questions or discussion from the Members? May I have a roll call vote to go into Executive Session?

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

The motion to convene into Executive Session for ES-1064 was then put, and carried by the following vote:

FOR EXECUTIVE SESSION:	Carvalho, Chock, Cowden, DeCosta	
	Evslin, Kualii, Kaneshiro	TOTAL – 7,
AGAINST EXECUTIVE SESSION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

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

Council Chair Kaneshiro: We will go into Executive Session once our Committee Meetings have concluded. This concludes the business on our agenda. Not seeing or hearing any objections, this Council Meeting is now adjourned.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 9:51 a.m.

Respectfully submitted,



JADE K. FOUNTAIN-TANIGAWA
County Clerk

:ks

(November 3, 2021)

FLOOR AMENDMENT

Resolution No. 2021-31, Mayoral Appointment of Beverly A. Gotelli to the Civil Service Commission

Introduced by: KIPUKAI KUALI'I, Councilmember

Amend Resolution No. 2021-31 by amending the term expiration for Mayoral Appointee to the Civil Service Commission as follows:

"CIVIL SERVICE COMMISSION

Term Expires

Beverly A. Gotelli

[12/31/2023] 12/31/2022"

(Material to be deleted is bracketed. New material to be added is underscored.)

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REC'D 11/03/21
11/03/2021
KIPUKAI
COUNCIL