

COUNCIL MEETING

MARCH 12, 2025

The Council Meeting of the Council of the County of Kaua'i was called to order by Council Chair Mel Rapozo, at the Council Chambers, 4396 Rice Street, Suite 201, Līhu'e, Kaua'i, on Wednesday, March 12, 2025, at 8:37 a.m., after which the following Members answered the call of the roll:

Honorable Addison Bulosan
Honorable Bernard P. Carvalho, Jr.
Honorable Felicia Cowden
Honorable Fern Holland
Honorable Arryl Kaneshiro
Honorable KipuKai Kualii
Honorable Mel Rapozo

(Note: No one from the public provided oral testimony via the Zoom remote technology platform on any agenda item.)

APPROVAL OF AGENDA.

Councilmember Kualii moved for approval of the agenda, as circulated, seconded by Councilmember Cowden.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

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

Council Chair Rapozo: The motion carries. Next item please.

MINUTES of the following meetings of the Council:

February 12, 2025 Council Meeting
February 26, 2025 Public Hearing re: Bill No. 2941

Councilmember Kualii moved for approval of the Minutes, as circulated, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

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

Council Chair Rapozo: The motions carries. Next item, please.

CONSENT CALENDAR:

C 2025-62 Communication (02/24/2025) from the Housing Director, transmitting for Council consideration, a Resolution Authorizing The Filing Of The Kaua'i County 2025 Action Plan (Community Development Block Grant) With The Department Of Housing And Urban Development, United States Of America, For A Grant Under Title I Of The Housing And Community Development Act Of 1974 And 1987 (Public Laws 93-383 And 100-242), As Amended.

Councilmember Kualifi moved to receive C 2025-62 for the record, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?
Seeing none.

There being no public testimony, the meeting proceeded as follows:

The motion to receive C 2025-62 for the record was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item please.

COMMUNICATIONS:

C 2025-63 Communication (02/03/2025) from Elliott K. Ke, Assistant Chief of Police, Police Operations Bureau, requesting Council approval of the indemnification provisions contained in the Thermo Scientific Portable Analytical Instruments, Inc. Terms and Conditions of Sale, for continued access to the software and its updates, the TruNarc device, and the Thermo Fisher device, which have been successful in assisting with hundreds of investigations involving extractions and identification of drugs.

Councilmember Kualifi moved to approve C 2025-63, seconded by Councilmember Cowden.

Council Chair Rapozo: Is there any discussion?

Councilmember Cowden: I have a comment. I am thankful that we have this process that keeps our officers safe and helps to identify things without putting them at risk.

Council Chair Rapozo: Thank you. Just for the public's information, this is just another tool that will allow our officers, as Councilmember Cowden said,

to identify dangerous drugs in a much safer way, especially with the Fentanyl crisis today and the exposure, so dangerous.

There being no public testimony, the meeting proceeded as follows:

The motion to approve C 2025-63 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2025-64 Communication (02/25/2025) from Kaʻāina S. Hull, Clerk of the Planning Commission, transmitting the Planning Commission's recommendation to approve GPA-2025-01 (General Plan amendment), A-2025-1 (State Land Use District Boundary amendment), ZA-2025-1 (Zoning amendment), and ZA-2025-2 (West Kauaʻi Community Plan amendment), relating to Zoning Designations in ʻEleʻele, Kauaʻi, that would amend Zoning Map ZM-H 200 (ʻEleʻele), Chapter 8, Kauaʻi County Code 1987, as amended.

Councilmember Kualii moved to receive C 2025-64 for the record, seconded by Councilmember Carvalho.

Council Chair Rapozo: This is the Communication. The bill will come up later. Planning Director Hull, I am not sure if you wanted to get this out of the way now, so you can head...are you okay to wait?

(Note: Planning Director Hull stated, "Whichever you prefer.")

Council Chair Rapozo: I am leaving that up to you. I would rather you get back to work. With that, I will suspend the rules.

There being no objections, the rules were suspended.

KAʻĀINA S. HULL, Planning Director: Thank you, Council Chair, and Members of the Council. Kaʻāina Hull, on behalf of Planning Department. The draft bills you have before you are a series of four (4) bills we must amend. The General Plan, the West Kauaʻi Community Plan, the State Land Use District, and ultimately the Zoning District—there was a request about a year ago from Habitat for Humanity (Habitat) to look at developing this site for affordable housing, but it is currently zoned Agriculture, immediately adjacent to Lima Ola and the Urban District. It could be a lengthy process for Habitat to pursue that individually on their own. In reviewing the plans, talking it over with the Long-Range Division, we found it would be appropriate to propose upzoning this area immediately adjacent to the Urban District, immediately adjacent to a housing project that is in the works now. That would clear the way for Habitat folks to ultimately go about getting the entitlements, should the Council feel that it is also appropriate. Essentially, the proposal is to take fourteen point nine, nine, four (14.994) acres and ultimately, upzone it from the Agriculture District to the Residential R-6 District. That would give it a full density allotment of ninety (90) dwelling units, with the potential of an additional guesthouse or Additional Rental Units (ARUs), should the homeowners eventually want to pursue that. Essentially, that is it in a nutshell. We do have

representatives from Habitat present to answer any questions the Council may have about the specific project. That is it, in a nutshell.

Council Chair Rapozo: This 14.994-acre parcel is currently owned by Habitat?

Mr. Hull: Yes.

Council Chair Rapozo: Are there any questions for the Planning Department? If not, thank you. Is there anyone in the audience wishing to testify?

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

Council Chair Rapozo: Is there any discussion from the Members?

The motion to receive C 2025-64 for the record, was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2025-65 Communication (02/26/2025) from the County Engineer, requesting Council approval of the indemnification provision contained in the General Conditions and Special Provisions of the Application to Operate or Transport Oversize and/or Overweight Vehicles and Loads Over State Highways, by and between the County of Kaua'i and the State of Hawai'i Department of Transportation Highways Division, which will allow the Department of Public Works, Solid Waste Division, to transport oversized and/or overweight vehicles and loads across State highways.

Councilmember Kualifi moved to approve C 2025-65, seconded by Councilmember Carvalho.

Councilmember Cowden: I have questions.

There being no objections, the rules were suspended.

ALLISON FRALEY, Solid Waste Division Chief: Good morning, Councilmembers. Allison Fraley, Solid Waste Division.

Councilmember Cowden: Thank you so much. I see this is basically moving our Solid Waste trucks further from the end of the road, Hā'ena, Hanalei, up the hill, and back to Kapa'a, right? I went through all the documents, and that is what it looks like. One (1) year of overweight trucks...

Ms. Fraley: Yes.

Councilmember Cowden: These are our garbage trucks; our refuse transfer trucks.

Ms. Fraley: It is basically permission to traverse some of the bridges on the North Shore.

Councilmember Cowden: I am concerned, and I want to at least have it on record that I have strong concerns about the stability of the road. It is not just the bridges; this is on the entire highway. Right there opposite the Police Department, the Fire Department in Princeville, that road is so tenuous with...they have been repairing it for six (6) years now, it is almost vertical right across the highway from those really important buildings. I see that we have a fireman in here. The last thing I want to have is a natural slope stabilization in the middle of the Fire Station or behind it. I worry about that. I am looking at the indemnification. I understand that is what it is about, but also as you go down Hanalei hill, it is a little bit like this on that lane that they repaired. I find that even when I am driving, I start to lean to the left, just to keep myself upright, just naturally. This is also for picking up rubbish in Wainiha and Hā'ena, Lumaha'i is getting repaired, a lot of those places lost their lane, six (6) almost seven (7) years ago. It seems a little dangerous. How full are these trucks when they are driving through there?

Ms. Fraley: I talked to our Collections Supervisor today, and the loads are usually about eight (8) tons or less, that are coming from the North Shore, but of course there is the tare weight on them, too.

Councilmember Cowden: What does "tare weight" mean?

Ms. Fraley: It is the weight of the truck without anything in it.

Councilmember Cowden: Okay.

Ms. Fraley: Normally, it is about twenty (20) tons. The permit is for twenty-five (25) tons. It is overweight, it is not oversized, it is overweight is what we are getting permitted for.

Councilmember Cowden: What is the weight that it is allowed to be?

Ms. Fraley: The bridges have weight limits. The Hanalei Bridge is fifteen (15) tons.

Councilmember Cowden: I am not worried about the bridges. I am worried about the highways, where the lanes are falling. We have reconstruction in Lumaha'i. Has that been looked at?

Ms. Fraley: Of the road construction?

Councilmember Cowden: Yes.

Council Chair Rapozo: Hold on. The discussion is on the application for the permit to take the trucks.

Councilmember Cowden: For the indemnification of it.

Council Chair Rapozo: It is an application and indemnification. We are applying for a permit.

Councilmember Cowden: I am just worried about it. I look at those roads...it is a permit to drive on the roads, right?

Council Chair Rapozo: Right, it is. Troy, did you want to add something?

TROY K. TANIGAWA, County Engineer: Thank you. Troy Tanigawa, for the record. What the Department of Public Works (DPW) is applying for are permits to use the State Highway. Typically when we go over these bridges that have posted limits, we apply for those permits, so the State can review the types of vehicles that we will be using to traverse those bridges. We have not been informed by the State of any capacity issues, carrying capacity issues with any of the highways. If there is something, we will be informed and will take the necessary precautions.

Council Chair Rapozo: Councilmember Cowden's concern is not the bridges, per se, it is the road that leads to the bridge where we had the massive incident. What I am hearing from you is that the State reviews our permits and if the State deems it is safe, then they grant the permit?

Mr. Tanigawa: That is correct.

Councilmember Cowden: Have you seen something from the State that say, "This is fine right here" ...why are those highways falling down? They are clearly falling down. They keep having to fix them.

Mr. Tanigawa: Like the County, the State also has an Engineering Division here on Kaua'i. They also have engineers that look at the highways. They pay attention to the conditions of the highways. They also have people on O'ahu as well. If there is a problem with the highway, they would be letting agencies know, especially the County, that there is something to be concerned about. We have not heard anything about theirs to be spoken about.

Councilmember Cowden: I am going to, I guess, let it go, except all someone has to do is drive out there to see that the roads are falling down. They are not strong. I do not care what they say, they are falling, right? They have to keep repairing these places and they are not working, so I just want us to be very conscious. I know this is just our refuse trucks and there are other big trucks that go over those spots, but it is evident with the eyes that Waikoko, Lumaha'i, Hanalei, all those places keep collapsing. If there are smaller trucks that we can use, if we do not need to fill it as much...I worry about that, and I think that is something we should think about, because it is clearly tenuous.

Council Chair Rapozo: Have we had many road failures out there?

Mr. Tanigawa: I believe there was a section of highway, around the Lumaha'i area that appeared to be...the proper word for it is...but it appeared to be "sliding" because there were cracks in the pavement. There was some "sagging," apparently, so the State has been studying that from what I understand. They still deem it safe to travel on.

Council Chair Rapozo: Does this permit grant the County an annual permit? Is it an annual permit?

Ms. Fraley: Yes.

Council Chair Rapozo: So, between now and another year, is there individual checking of what we want to take across that road?

Mr. Tanigawa: No.

Council Chair Rapozo: And we assume the liability?

Mr. Tanigawa: We assume whatever liabilities for the trucks that we use.

Council Chair Rapozo: Yes.

Mr. Tanigawa: That is basically it from my understanding.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: Do you know who the State point of contact is, if a resident or a Councilmember has a concern about any highways? You said that this was just about the bridges, we are applying for the permit, but if a constituent or a Councilmember has a concern about the highway, in particular areas, who at the State can they bring it to?

Mr. Tanigawa: The State District Engineer Office—they have people there that anyone can call. I believe they have contact information on the website.

Councilmember Cowden: I talk to them regularly and I know that they meet out there regularly, because it is a real concern. They meet with the Hanalei to Hā'ena Community Association every month, and it does not just say the bridges. It says the entire distance. I want to raise the issue that the roads are "sagging." Waikoko Bridge fell. We are seeing problems out there and they are in constant repair. I want to be pointing that out. The bridges probably have a problem, but this talks about the entire distance. It is tenuous right there.

Council Chair Rapozo: Are there any further questions?

Councilmember Holland: I want to be clear, because I think we brought this up at the prior meeting. We are taking on the liability for things that happen with our vehicles, not damage to the road. Did we not talk about that?

Mr. Tanigawa: I think we may be liable or responsible if we cause damage to a bridge.

Councilmember Holland: Right, if we hit the bridge, but they are responsible for determining the weight that goes across it and we do not take on the liability should the road further collapse.

Mr. Tanigawa: Correct, and that is why we are applying for the permit.

Councilmember Holland: Thank you.

Council Chair Rapozo: Are there any further questions? If not, thank you. Is there anyone in the audience wishing to testify?

There being no public testimony, the meeting proceeded as follows:

Councilmember Cowden: I am just being responsible to the community there. When these roads break, it is very damaging to business, it is very damaging to everything, and it is very difficult, so this is an opportunity...when I look at this, I think about how many other trucks or vehicles are going over those areas. The last time, we talked about how it wears it down and when you are driving down there, if you are out there regularly, I do not know how often you folks go out there, but there is clear, consistent need to be repairing that road, it has a lot of challenges. It is an opportunity for us to look at and consider what is happening in that area. I do not know if all these big trucks that go down that way also have to apply for a permit? I have no idea how much goes out there. I will ask again with the Hawai'i Department of Transportation (DOT) Highways Division, but I look and pay attention to the community's concern, not necessarily the refuse trucks, but about the stability of the highway is important.

Council Chair Rapozo: I think we all address the community's concerns, Councilmember Cowden. The fact that this permit...I have a license to drive, I do not have a license to drive recklessly or foolishly. We need the permit. You need to use the State highway, we do not have alternative routes, but my expectation of DPW or any department that is using this permit is that you need to evaluate the situation before you take a heavy truck over a road that may collapse, because if a County truck causes the collapse, the County will pay. I have to trust the engineers at DPW that if they have a job and need to get a big truck out over any road, whether North Shore or Westside, that we make sure it is safe practice to do. That is why we have you folks as engineers. The permit comes so we can use the road, but yet, we have to rely on our expertise to make sure we are not putting our drivers and the community at risk. I expect that. I think that the concerns of Councilmember Cowden are real, those roads are not the "best roads," and so in some cases maybe driving the heavy truck in a dangerous situation is not feasible and the County needs to find an

alternative, but that is not for the Council to decide, that is for DPW, the engineers, and the State. Without this permit application and indemnification, we cannot take the truck on the road at all. What happens next? Councilmember Kualii.

Councilmember Kualii: With an issue like this, we need to think about what the process is and whose jurisdiction it is. Bringing up the concern to our community, probably folks like Councilmember Cowden who are driving on the roads know that and are already aware of it...if the process is through the State and we are speaking to the engineer, and we are not getting the response that we need, then we need to continue with the State. If it means moving from the Administration of the State to the policymakers, that is the avenue. Policymakers make the budget for the State. We can keep advocating on our constituents' behalf, but ultimately, it is the State that must make the moves that you are asking for, Councilmember, and if anything, maybe for this body, if you want us to collectively make the request to the State, then maybe you should be proposing a resolution. Clearly, you can write a letter as a Councilmember, as well. Thank you, Council Chair.

Council Chair Rapozo: Members, is there further discussion?

The motion to approve C 2025-65 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item.

C 2025-66 Communication (02/28/2025) from the Director of Economic Development, requesting Council approval to receive and expend Congressional Directed Spending Funds, in the amount of \$905,000.00, from the United States Department of Transportation Federal Highway Administration, Hawai'i State Energy Office funds, in the amount of \$50,000.00, and Ulupono Initiative funds, in the amount of \$25,000.00, to be used for the design and construction of the Kaua'i Level 3 Electric Vehicle Charging Network Project.

Councilmember Kualii moved to approve C 2025-66, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is someone here from the Administration?

There being no objections, the rules were suspended.

CHRISTINA P. KASER, Economic Development Specialist IV: Christina Kaser, for the record.

Council Chair Rapozo: Thank you. Do you want to give us a quick overview? I know that we had you here a while back and you spoke about the program and plans. The first question would be, where are we on that plan, as far as changing out the chargers? The charger in our parking lot is still broken. The last couple of weekends ago, I was driving through the parking lot and saw two (2) Tesla trucks parked in the County parking stalls, taking County electricity, and I remembered former Councilmember DeCosta saying, "We are not giving our fuel or gas cars any subsidies, but we are providing free electricity to the community on a Saturday when

closed.” I know that is a bunch of questions, but if you could give us an overview of where we are on the existing program and what this project will be.

Ms. Kaser: Last summer, I came for another federal grant application. We were going after the charging and fueling infrastructure grant. That application was not awarded, but that would have done a big overhaul.

Council Chair Rapozo: Then all of that, what we talked about, is gone?

Ms. Kaser: The funding that we were going after to replace and do the big install of more chargers in the parking lot was not approved.

Council Chair Rapozo: So, we are not moving forward with that, right? Obviously, because we do not have the funds.

Ms. Kaser: Not with that project, but I spoke with the Department of Parks & Recreation, and they have a plan to replace the broken chargers that the County has right now. The Council can follow up with the Department of Parks & Recreation for all the details.

Council Chair Rapozo: We will. I do not understand why the Department of Parks & Recreation are doing meters, but okay.

Ms. Kaser: I know that we received a request from the Council, so we are working on a joint response to that, too, with a more detailed update.

Council Chair Rapozo: What are you planning with this one? Is it sort of the same thing?

Ms. Kaser: This is a different project that they applied for a few years back and it is funding for Level 3 chargers around the island. Currently, the County owns Level 2 chargers at the Līhu‘e Civic Center. They charge a lot slower than Level 3 chargers, and there are no Level 3 chargers on the island right now, so we are sort of in a coordinated effort with DOT to get Level 3 chargers in all the planning districts around the island. DOT is working on the North Shore and the Westside. We are going to do East, Central, and South with this project. Basically, we were awarded the Congressionally Directed Spending Funds, thanks to Senator Brian Schatz and Senator Mazie Hirono. We have to provide a twenty percent (20%) match. The Hawai‘i State Energy Office and Ulupono Initiative are helping us with our match. That is where the fifty thousand dollars (\$50,000) and twenty thousand dollars (\$20,000) come in. Basically, the plan is for one (1) dual-port Level 3 charger at each of the sites—Bryan J. Baptiste (BJB) Park, Līhu‘e Civic Center, and Anne Knudsen Park in Kōloa. That is this project.

Council Chair Rapozo: That will be charged...people will have to pay to use?

Ms. Kaser: Yes, we are in the process of scheduling two by two (2:2) meetings with the Council to talk about the bill that we want to introduce for setting a usage fee. It is happening...

Council Chair Rapozo: The last project did not happen, so we are basically back to "square one" and this one is for Level 3 chargers. Is there any plan to resurrect the last project in this upcoming budget? We need to fix these meters.

Ms. Kaser: Definitely. With the last project, it was going to allow us to both expand our chargers and then convert a lot of the public chargers to fleet chargers, so it was two (2) parts. With the current budget, my understanding is that the Department of Parks & Recreation is using it to take care of what we currently have. It would not necessarily be an expansion and building new ones, but it would be taking care of existing equipment.

Council Chair Rapozo: I guess a note to our staff, maybe get something over to the Department of Parks & Recreation. Again, I do not see the connection, but anyway, Councilmember Cowden.

Ms. Kaser: The Department of Parks & Recreation will be working on the maintenance of the chargers now. We are sort of helping, with me in the middle providing technical assistance, looking for grant funds, and things like that. Then the Department of Parks & Recreation will take care of it when they are in the ground.

Council Chair Rapozo: Got it. Go ahead.

Councilmember Cowden: I have math questions. It is roughly one million dollars (\$1,000,000) and is that for eighteen (18) chargers?

Ms. Kaser: No, this is for three (3) fast, dual-port chargers, for the design and construction.

Councilmember Cowden: So, one million dollars (\$1,000,000) for three (3) chargers? Does dual-port mean that two (2) different cars can charge at the same time?

Ms. Kaser: Yes.

Councilmember Cowden: I am just trying to do my math really simply there. If it was five (5) chargers at one million dollars (\$1,000,000), that is two hundred thousand dollars (\$200,000) a charge, so then six (6) chargers would be a little less than that, probably one hundred eighty thousand dollars (\$180,000) per charger. How often do they break?

Ms. Kaser: The Level 2 chargers are what we currently have experience with, so since we do not have any Level 3 chargers, I could not give you a good...

Councilmember Cowden: How often do the Level 2 chargers break?

Ms. Kaser: The ones that we have...let us see...the JuiceBoxes that we received were installed, I think, in 2019 or 2020, and we started seeing some failure of some that were older units...I think that their lifespan is not supposed to be more than five (5) to ten (10) years. The reason that so many have failed in our current parking lot is because the company went bankrupt. The chargers stopped functioning because the company went bankrupt, so it was more than the chargers failing.

Councilmember Cowden: I just ask the question because when we look at...I see that there is a bill at the State to charge people per mile driven rather than putting all the tax on gas. Right now, electric vehicle (EV) users do not pay for road fees, and I do not think that they are paying for the "juice" that they are getting, so will these have a credit card or some sort of electronic way of paying?

Ms. Kaser: Yes. You will need to pay a usage fee to use them. Then, the EV owners have to pay a fifty-dollar (\$50) surcharge on their vehicle registration, so that is the way to compensate for not contributing to the gas tax when not filling up at the tank.

Councilmember Cowden: I recognize that none of this is coming out of the County budget, so, "yay" on that, but the rest of the public pays. When we have a one million dollar (\$1,000,000) cost for three (3) basic chargers, three hundred thousand dollars (\$300,000) for the chargers that might last five (5) or six (6) years, when we charge people to "fill up," do we just charge them for the electricity that they use or are we giving them any sort of basic cost for what is it to put this infrastructure in? If we doing two (2) cars at a time, for three hundred thousand dollars (\$300,000)...if we had it used twenty-four seven (24/7), it is still really...it is a thousand dollars (\$1,000) a day for the charger.

Ms. Kaser: We will get more into the "weeds" on how the rate would be designed, but it would be to cover everything that it would take to put this out, electricity and software and maintenance costs, if any. I think the intent would not be to make revenue, but it would be to recoup.

Councilmember Cowden: But there is nothing, what we call in water, a "facilities reserve charge" (FRC), right? We have a FRC or "hookup" fee for sewage. It can pay to put in the infrastructure, and so we have just a minimal amount of people who benefit from this tremendous cost. By the way, I appreciate the work that you have done, but I want the Council to have a reality check on the type of investments in there for the convenience of a small handful of people driving.

Ms. Kaser: I think that everyone can agree that it is expensive to put these Level 3 chargers in. We are part of a statewide network called Drive Electric Hawai'i (DEH) and we have been talking amongst the government folks about long-term, and that it is going to be cost-prohibitive to have the government lead these types of projects because it is expensive between the costs of setting federal wages, the contractors and electricians being so busy, and taking on projects. We are trying to figure out ways to be more transparent about it in an attempt to someday lower the costs of putting these out.

Councilmember Cowden: Thank you for asking that important question because when we have this goal that we are going to be electric within fifteen (15) years or so, and if it costs us that crazy amount of money to put a few chargers in, I do not see how that is a sustainable plan.

Ms. Kaser: These are going to be good, big chargers. I think that they will be eighty thousand dollars (\$80,000) a unit, so they are expensive, and that is not even including the electrical infrastructure that comes with it, but people will be able to charge for fifteen (15) to twenty (20) minutes and then go. It is not like they will need to be plugged in for three (3) to four (4) hours to get a full charge. It is a definite need in the world of a charging network where you need a little bit of "juice" to make your way. A lot of people here charge at home, but some have older vehicles with older batteries, and they need to "plug" along the way, or they live in multi-family housing, and they cannot. Level 2 charging is probably better suitable for the island because the range of driving is not too long, but some Level 3 is important.

Councilmember Cowden: Will the County have any sort of tracking on what works and does not, and how it works, because I think it will help to make better decisions later if we see how long things last and how many people are using it. I think that with our goals, we need to be giving that information to the policymakers. They flippantly decided that we all needed to have these cars, apparently without contemplating the cost of creating that reality.

Ms. Kaser: Before things "went south" with JuiceBox, we were looking at the usage data, so we will definitely be looking at the same with these chargers.

Councilmember Cowden: Okay. Thank you.

Council Chair Rapozo: Councilmember Bulosan.

Councilmember Bulosan: Thank you for applying and receiving these funds. I have unfortunate questions to ask, and hopefully it is not negative, but with the recent things that are happening with the federal government, are these funds available? Can we receive it?

Ms. Kaser: Our understanding is that the Congressionally-Directed Spending Funds have not been frozen and should not be touched, and we braced for obligation in early January right before the inauguration. We have been obligated. We should be able to continue with this project.

Councilmember Bulosan: Is there an estimated timeline?

Ms. Kaser: My hope was six (6) months for design and six (6) months for construction. You know how that goes, it might be a little longer. We put out a Request for Proposal (RFP) in mid-December and are working on the review process right now.

Councilmember Bulosan: Perfect. Thank you.

Council Chair Rapozo: Members, are there any other questions? Go ahead.

Councilmember Carvalho: Just a clarifying question. You mentioned an eighty-thousand-dollar (\$80,000) grant. What is that?

Councilmember Bulosan: That is the cost for the actual meter.

Councilmember Cowden: The charger itself.

Council Chair Rapozo: I am looking at the packet that you sent over with Christmas tree colors—red, green, and purple. I just want to make sure that I understand this. The top half of the page refers to, I think, what you are asking for, one million one hundred thirty-one thousand two hundred fifty thousand dollars (\$1,131,250) in the EV Charging Purchase? I am assuming that is for three (3) chargers for two hundred seventeen thousand four hundred six dollars and eight cents (\$217,406.08) and the preliminary engineering is two hundred forty thousand dollars (\$240,000), but the Design Build Contract is five hundred seventy-three thousand eight hundred forty-three dollars and ninety-two cents (\$573,843.92). Am I reading that correctly?

Ms. Kaser: Yes.

Council Chair Rapozo: I thought that the Design Build Contract was what we paid for the person to design and build out the project, but then right below that, I am seeing Construction Engineering-Post-Design twenty thousand dollars (\$20,000), Staff Labor eighty thousand dollars (\$80,000) for a subtotal of one hundred thousand dollars (\$100,000). I need help understanding why that is not in the Design Build Contract.

Ms. Kaser: This was my first federal obligation, so I worked with DOT folks from O'ahu to figure out how they need to have the budget broken down to be able to do the obligation, so they had it into these four (4) categories. I do not know why construction and engineering was not included in the other category with the Preliminary Engineering, but I guess that it is just pulled out like that. Our DPW Engineering Division helped me put in cost estimates for those as well, and that is what they came up with.

Council Chair Rapozo: On the bottom half, there is "Future Modification #1." That is not included in these funds, right? What is the future modification, which is pretty much another one million two hundred thousand dollars (\$1,200,000)?

Ms. Kaser: When we were putting together this budget estimate, it looked like the project was going to cost more than what we originally budgeted for, which was the eighty/twenty (80/20) match. If we do need to request

more funds, we will work on that. Like I said, we are in the procurement process right now, so we will see what comes out with final costs.

Council Chair Rapozo: That is scary. Are there any other questions? If not, thank you. Is there anyone in the audience wishing to testify? If not, is there any discussion?

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

Council Chair Rapozo: I have a philosophical issue with subsidizing. This is a lot of money for three (3) chargers. We are seeing the failures in our chargers now and the County cannot keep up with its chargers that are Level 2. These are Level 3, which I would assume...I do not know this, but I would assume it requires more maintenance, so I am struggling with this one, because we are not subsidizing the folks with gasoline-powered vehicles. We are not putting aside money. I am seriously considering lowering our fuel tax rate. I had a short discussion with Managing Director Matsuyama last week and I understand that the drive is for people to buy EV, but when you break this down, it is a lot of money. Some will say, "Well, it is Federal money," and I understand that it is Federal money, but it is still our money. I am curious to hear what you folks think. It is for three (3) chargers. My frustration is really because the chargers are not even working now. That is the frustration I have. It is not with you. It is the Department of Parks & Recreation; I do not know if we have anyone from the Department of Parks & Recreation here. Where is the assurance that the County will maintain these things, be able to afford these things, and be able to sustain these things? Those are just my initial thoughts. Councilmember Cowden.

Councilmember Cowden: That is why I brought it up. When you look at the math, it really does not make very much sense. I regularly receive agitated phone calls from constituents who are upset because a private charger in a shopping center for the benefit of the shoppers does not work, maybe it does not work for years. I will try to call the management of the shopping center, and they are like, "Look, these are just people who live nearby. They choose to park in the parking lot all night long and charge for free at our shopping center." They do not care that they are not working, because they do not feel like it actually adds to their clientele in their shopping center. The only reason they put the money in is because they were either required to, as that happened more lately, or they felt that it would be of benefit, but it is that mostly they are not finding that it is shoppers who are stopping and plugging in, because it takes too long. They really need to leave the car there for three (3) or four (4) hours. It has been an unrealistic goal to be creating this outcome and I am concerned that they just keep breaking. The County finally took the stall out near the Historic County Building. I am more on the same "page" as the Council Chair.

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

Councilmember Kaneshiro: I will be voting to approve it. I saw a similar charger in Las Vegas and I saw a lot of use on it. The benefit of this charger compared

to the other chargers the County has is that I believe all the chargers the County has are free right now. This charger will actually charge people for the use, which is a good thing. It sets up more realistic expectations to the cost of actually getting the system there and of getting electricity to your vehicle. It is not just plugging it in and getting free electricity, so I will be voting in favor of it. We received a lot of money from the Federal government, which I do not think we will be able to get a lot of this type of money going forward. That is what I am hearing. Hopefully, we still will be able to, but from everything we have been hearing from Washington, D.C., this type of money is going to dry up. I appreciate our Senators who help get us the money, Ulupono Initiative, and the Federal Highway Administration. I will be voting in favor of it.

Council Chair Rapozo:

Councilmember Bulosan.

Councilmember Bulosan: I will echo that I also support this and I want to share my appreciation to the team for writing for this grant, sticking to it, and executing it all the way to this point. I hear the concerns from my fellow Councilmembers. It reminds me of how far along we have come as a society. If you just think about one hundred (100) years, we were still riding horses and some type of mechanical thing was figured out, so if you think about newer technology, as we advance, as we try to make things better for our community and society, and make efforts to better take care of our island, *‘āina*, and each other, inevitably, there will be “road blocks,” challenges, things that we need to figure out that do not work, the charger not being paid for so now we need to roll back and make it paid for, these are all moments and opportunities for us to progress as a community so that we can better set up the future. I think about my child who just turned eleven (11) months old today, and I have a running joke with my wife that he will probably never need to drive in his life. I have a running joke with her that he will probably never, hopefully never, know the smell of kerosene or gasoline. If you think about that in the bigger picture, that might be better for his future because there is a better relationship with the land, the ocean, and the community, because you are trying to design and participate in the community in a way that we have longevity. This opportunity, as was shared by Councilmember Kaneshiro, sometimes you do not “land” nine hundred thousand dollars (\$900,000) from the Federal government to try to make things better, so I really appreciate the team for putting in this effort and I am glad that we are, hopefully, able to install it within the budget and timeframe. That is always the wish.

Council Chair Rapozo:

Is there anyone else?

Councilmember Cowden:

I have a follow-up.

Council Chair Rapozo:

Go ahead.

Councilmember Cowden: Because it was not clear, I am going to be supporting this today, because you have put all this work into it and because the County has a number of EVs and these are all County spots, so the County needs to be able to charge these vehicles that have already been invested in. Thank you for the effort that you have put in. It is a learning experience that we see how crazy

expensive all these things are. We did not know this ten (10) years ago. I will support it, but I do not see that we are at a sustainable level in an ongoing amount.

Council Chair Rapozo: Go ahead.

Councilmember Bulosan: *Mahalo*, Council Chair. I have just one more thing. I want to give full disclosure since we are talking about transportation. I drive an EV. I have been driving an EV for the last five (5) years, I charge at home for the majority, I probably charge once every two (2) weeks, and it has been a wonderful, safe experience. No cars have blown up and no batteries have run out. I really appreciate the government and private parties that do install chargers and are willing to partake in this process of looking at developing technologies, because I drive all the way to the north, south, east, and west without a single charge in the day safely with my eleven-month-old child and my wife, and in the five (5) years, I have yet to repair my EV, which has saved thousands of dollars a month. I am excited for the State looking at the road use charge, because I would love to participate. As an EV operator, I feel I am taking advantage of other transportation people who are paying gasoline and fuel tax, so I hope the State gets that rolling so that as an EV operator, I can partake in supporting the infrastructure of our community.

Council Chair Rapozo: Councilmember Carvalho.

Councilmember Carvalho: Without repeating, to me, it is another step forward. It is one more step whether it takes three (3), four (4), or whatever, but it is the point that you folks worked on it and the County has the resource there. It is another step forward, we need to keep moving, and there is more to come. Being involved in different discussions about EVs, charging stations, Level 2, Level 3, and maybe Level 4 is next, but in general terms, with the work that you folks have done, just keep moving forward. *Imua*.

Council Chair Rapozo: Is there anyone else? Councilmember Kualii.

Councilmember Kualii: I, too, want to add that I am absolutely in support of this. It is really important, the County is moving in the right direction, and this project helps advance the State's goal of transitioning to one hundred percent (100%) renewable energy and carbon neutrality by 2045 and our own County's goal to make its transportation electric, so we just need to keep moving forward, even in small ways.

Council Chair Rapozo: Is there anyone else? I am not against EVs. I am not saying that they blow up or anything like that. For me, it is a fairness issue. It is purely an issue of fairness for me. If you want an EV, then buy one. Should the taxpayers subsidize your fuel? No, I do not think so. Why? I will be honest. I have a problem with that. It baffles me that they do not pay fuel tax and yet they are subsidized with their electric power. Again, I know this will be taken far out of context that I expect the hailstorm to come, but the State sets the goals and the mandates, but they expect the County taxpayers to pay. That is wrong. If the State wants us to go all-electric, they should put up the chargers along the State highways. Do it, because it is not fair that we need to subsidize their mandate. It is crazy, in my

opinion. I know it is not popular, but it is what it is. I agree that you folks put a lot of work into this and yes, it will help some people, but these are not County chargers for County vehicles. This will be open to the public. I will take your word that you will get the bill done so the County can start charging and I would like to see the people pay for the use of the electricity that the taxpayers are paying for. No one else. It is the taxpayers who are paying for that power. If you can buy a Tesla truck...I have the pictures in my smartphone (phone). One has a California license plate, the other has a Hawai'i license plate. They were parked next to each other in our County parking lot. If you can buy a Tesla, buy your own charger, because that is not fair. When we are paying for you to drive your Tesla truck all over Kaua'i, that is not fair. I struggle with this, but I agree with Councilmember Kaneshiro and everyone else regarding congress, the aid we receive, and the work you have put in, but again, I will hold you to your comments and I expect this Council to pass the bill that will charge these people the usage of their power, not just a usage fee, but they pay for what they use. It is not just a two-dollar (\$2) hook-up and two-dollar (\$2)...no, you pay for what you use with a surcharge for the County to provide that service to you. The County vehicles can all have a swipe card, so they do not need to pay, but the public will pay. That is the end of the story.

The motion to approve C 2025-66 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2025-67 Communication (03/04/2025) from the Boards and Commissions Administrator, requesting Council approval of the indemnification provision contained in the Group Sales Agreement, between the Kaua'i Police Commission and The Royal Sonesta Kaua'i Resort Līhu'e, for the 2025 State of Hawai'i Police Commissioners Conference, scheduled from June 5, 2025 to June 6, 2025.

Councilmember Kualii moved to approve C 2025-67, seconded by Councilmember Cowden.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to approve C 2025-67 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2025-68 Communication (03/04/2025) from the Fire Chief, requesting Council approval to receive, accept, and expend appropriated State Legislature funds, in the amount of \$529,600.00, for Hā'ena State Park (Kē'e Beach). The available funding under the amended Memorandum of Agreement (MOA) can be used for Water Safety Officer positions, in the amount of \$496,800.00, and equipment, including vehicles and lifeguard towers, in the amount of \$32,800.00, effective July 1, 2024.

Councilmember Cowden moved to approve C 2025-68, seconded by Councilmember Kualii.

Council Chair Rapozo: Is there any discussion or public testimony?

There being public testimony, the meeting proceeded as follows:

Councilmember Cowden: I have a comment.

Council Chair Rapozo: Okay.

Councilmember Cowden: I appreciate that the State is paying for the County's lifeguard out at Kē'e Beach. I appreciate the County's Ocean Safety Officers. That is a dangerous area and is the final checkpoint to keep people safe so I am glad that we have it. It is very appropriate that the State pays for it, especially when those jet skis and whatnot are going down the Nā Pali Coast. Good job, Kaua'i Fire Department (KPD).

Council Chair Rapozo: Is there anyone else?

The motion to approve C 2025-68 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

C 2025-69 Communication (03/04/2025) from the Housing Director, requesting Council approval to perform the following:

- a. Acquire under the County's Community Development Block Grant (CDBG) Program a residential unit at 3920 Haoa Street, # 313, Līhu'e, Hawai'i 96766, Tax Map Key (TMK): (4) 3-5-001-165-023, for a purchase price of not more than \$221,000.00, based on the Kaua'i County Housing Agency (KCHA) Repurchase Disclosure Schedule;
- b. Resale by fee simple of 3920 Haoa Street, # 313, Līhu'e, Hawai'i 96766, for not more than \$221,000.00 as determined by the KCHA Repurchase Disclosure Schedule, plus approximately \$20,000.00 for unit rehab; and
- c. Authorize the County Clerk to sign legal documents related to the acquisition and resale transactions.

Councilmember Kualii moved to approve C 2025-69, seconded by Councilmember Carvalho.

Council Chair Rapozo: Christiane just passed out an amended memorandum (memo). The memo that came over...rather than bring Koa up, I will...unless there are any questions? If they have any questions, they can ask. The original memo cited that the funds would be under the CDBG Program; the amended memo shows it coming from or going to the Housing Community Development Fund, instead of CDBG. Does anyone have any questions? Go ahead.

Councilmember Cowden: For the sake of the people who are civically-engaged, a resale at, again, a very affordable rate of two hundred forty-one thousand dollars (\$241,000), is this a condominium (condo)?

There being no objections, the rules were suspended.

KOA (RUDOLPH) DUNCAN, Assistant Housing Director: Yes.

Councilmember Cowden: Is it in Lihū'e?

Mr. Duncan: Yes, it is the Kamāmalu condo project, which is next to Enterprise Rent-A-Car on the highway.

Councilmember Cowden: Yes.

Mr. Duncan: It is on Haa Street, sort of on the corner towards the airport side of the road.

Councilmember Cowden: This is an example of what the County had intended when we put into effect ten-year buyback programs, so another family, group, or person is going to be able to have a place to live for what used to be a lot of money—two hundred forty-one thousand dollars (\$241,000)—but now that is a real “steal.” It is already moving and it is done, if we approve it?

Mr. Duncan: That is correct. We have not closed on the sale, yet, but we would close based on these prices.

Councilmember Cowden: But there is a new buyer and everything? Is there at least a list?

Mr. Duncan: Once we purchase from the previous owner, we will make the improvements. I think it will be some paint, kitchen renovation, and new flooring. Then we will work off our Home-Buyer List Program (Home-Buyer List) to get the next person on the list who qualifies to purchase the house.

Councilmember Cowden: Is this a two-bedroom condo?

Mr. Duncan: Yes, it is a two-bedroom, two-bathroom condo.

Councilmember Cowden: Okay.

Council Chair Rapozo: Are there any other questions for the Housing Agency? If not, thank you. Is there anyone in the audience wishing to testify? Seeing none, is there any further discussion?

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

The motion to approve C 2025-69 was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item, please.

CLAIM:

C 2025-70 Communication (02/24/2025) from the County Clerk, transmitting a claim filed against the County of Kaua'i by William Manantan Jr., for vehicle damage, pursuant to Section 23.06, Charter of the County of Kaua'i.

Councilmember Kualii moved to refer C 2025-70 to the Office of the County Attorney for disposition and/or report back to the Council, seconded by Councilmember Bulosan.

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

The motion to refer C 2025-70 to the Office of the County Attorney for disposition and/or report back to the Council was then put, and unanimously carried.

Council Chair Rapozo: The motion carries. Next item please.

COMMITTEE REPORT:

FINANCE & ECONOMIC DEVELOPMENT COMMITTEE:

A report (No. CR-FED 2025-04) submitted by the Finance & Economic Development Committee, recommending that the following be Approved on Second and Final Reading:

“Bill No. 2941 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-896, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, HIGHWAY FUND, G.E. TAX FUND, SOLID WASTE FUND, SEWER FUND, AND GOLF FUND (*HGEA Temporary Hazard Pay*),”

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

Council Chair Rapozo: Is there any discussion or public testimony?

There being no public testimony, the meeting proceeded as follows:

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

Council Chair Rapozo: The motion carries. Next item, please.

RESOLUTION:

Resolution No. 2025-20 – RESOLUTION AUTHORIZING THE FILING OF THE KAUAI COUNTY 2025 ACTION PLAN (COMMUNITY DEVELOPMENT BLOCK GRANT) WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNITED STATES OF AMERICA, FOR A GRANT UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AND 1987 (PUBLIC LAWS 93-383 AND 100-242), AS AMENDED

Councilmember Kualii moved for adoption of Resolution No. 2025-20, seconded by Councilmember Carvalho.

Council Chair Rapozo: Could we have the Administration come up to discuss this project?

(Councilmember Carvalho was noted as not present.)

There being no objections, the rules were suspended.

Mr. Duncan: *Aloha*, Council. Koa Duncan, Assistant Housing Director. With me are Anna Kanoho, Federal Programs Assistant, and Kerrilyn “Kerri” Barros, CDBG Coordinator. I will give a brief introduction. This is our annual CDBG Federal Community Development Block Grant Program Action Plan that you have in front of yourselves and in which we are recommending five (5) projects for funding this year. The total grant is for seven hundred sixty-seven thousand one hundred fifty-nine dollars (\$767,159), and we are also adding one hundred thousand dollars (\$100,000) of CDBG Program income into that pot, which are older CDBG mortgage loan repayments that we can add to this. This is an annual application process where we go out to the community, give them a lot of notice, receive proposals, our team scores them, and we select the projects. It goes to the Mayor for approval and, ultimately, comes here for the Council to look at and approve. With that, I will turn it over to Kerri and Anna to give a brief overview of the projects that we have selected and any other specifics. Thank you.

ANNA KANOHO, Public Housing & Development Program Specialist I: Thank you. We have two (2) Public Facilities and Improvements projects. First is the Lima Ola Photovoltaic Project. That is to install a photovoltaic system to reduce tenant electricity costs at the new Lima Ola Supportive Housing Project for houseless individuals and families.

Council Chair Rapozo: You may need to speak a little louder for the captioner.

Councilmember Cowden: And you are supposed to state your name.

Council Chair Rapozo: Is the microphone (mic) near you? Does she have a mic?

Ms. Kanoho: I do. My apologies. My name is Anna Kanoho.

(Councilmember Carvalho was noted as present.)

Ms. Kanoho: The next project is the Kaua'i Restoration Project. That is by Mental Health Kōkua (MHK). The project is to renovate an existing group home for imminently homeless adults with serious mental illness. We also have a Public Services project: The Youth Mentorship and Engagement Camp. This is done by Keala Foundation. They are conducting four (4) free, ten-day prevention and intervention camps for at-risk youth from low- to moderate-income families to improve resilience, coping skills, and self-awareness in a supportive environment. We also have the Housing category project, which is the Pa'anau Hot Water Heaters. This is being done by the Kaua'i Housing Development Corporation to remove existing solar water heaters and install new tankless heaters at what I believe is the existing Pa'anau Phase II low- to moderate-income household rental units. The last is the alternate project, which is another Public Services project. It is Health Outreach Kaua'i by Project Vision Hawai'i. The funds will be used for direct staffing to provide mobile health care and services for people experiencing homelessness. Again, this is an alternate project.

Council Chair Rapozo: Can you explain MHK? The other ones are self-explanatory and I very familiar with those. The second one, the MHK – Kaua'i Restoration Project, where is this group home?

Ms. Kanoho: The group home is in Wailua.

Council Chair Rapozo: How many adults do they service?

Ms. Kanoho: In Wailua, this home will service fifteen (15) adults.

Council Chair Rapozo: Fifteen (15)?

Ms. Kanoho: That is correct.

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

Councilmember Kaneshiro: I have a question on the same project. How long have they been operating?

Ms. Kanoho: For over fifty (50) years.

Councilmember Kaneshiro: I have never heard of them.

Council Chair Rapozo: Did they change the name or something?

Ms. Kanoho: I do not believe so. They provide services to adults with serious mental illness by way of case management, housing, psychiatry, counseling, and services.

Council Chair Rapozo: Do they get referrals through social services and they house them?

Ms. Kanoho: That is correct. From the Adult Mental Health Division.

Council Chair Rapozo: I got it. Thank you. Councilmember Kualii.

Councilmember Kualii: Can you give some basic information on the process? Does this happen once per year? When is the deadline? What is the typical amount? What are the minimum and maximum amounts that people can apply for?

(Councilmember Kaneshiro was noted as not present.)

Councilmember Kualii: For this past cycle, how many applicants did you have? How much total funds were requested? I am curious as to the need that the County may not be meeting because there are a lot of requests, or not. I do not know.

Ms. Kanoho: All the applicants this year are listed in the Resolution. There were five (5). This year, we are receiving seven hundred sixty-seven thousand one hundred fifty-nine dollars (\$767,159.00) from the CDBG grant and generally, we tend to see less and less funds come through. It is a really competitive process, and usually the amount of applicants increases.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: Are you saying that you only had these five (5) applicants.

Ms. Kanoho: That is correct for this year.

Councilmember Cowden: I know one (1) of these is an applicant that I sent and I sent a handful of others. I wrote letters. Did they maybe get their application in too late?

Ms. Kanoho: No, I do not believe we received any late applications.

Councilmember Cowden: Okay. I think this is wonderful and I am thrilled with all your choices. I am really happy with it, so I have no complaints. I am only asking because when I saw this notice go out, I sent it out. Did you promote this six (6) weeks in advance, or two (2) months? When, for people to apply?

Ms. Kanoho: Last year, in October.

Councilmember Cowden: Maybe two (2) or three (3) months in advance of when the deadline was. That is probably a reasonable amount. It might be that some of these organizations need a little help with their application processes, because there are other worthwhile ones, but I am happy with what you have here. I was "beating this drum," so I am disappointed to hear that these are the only five (5) that came in, but I am really happy to see that what I did ask for made it. At least one (1) of them made it.

Ms. Kanoho: Thank you, Councilmember Cowden. If the issue is that they need help with their applications, please direct them to us and we can help.

Councilmember Cowden: Do I direct them to you? Which one of you do I direct them to?

Ms. Kanoho: Either Kerri or myself.

Councilmember Cowden: Alright. I will just try a little harder, because I know they were doing it right at the very end, and coaching and this type of thing is not really...I do not know the other end of it, so I will send them directly to you.

(Councilmember Kaneshiro was noted as present.)

Ms. Kanoho: Thank you.

Council Chair Rapozo: How long is the application period? If you put it out in October, when is the deadline?

Ms. Kanoho: A month.

Council Chair Rapozo: Is it only one (1) month?

Ms. Kanoho: That is correct.

Council Chair Rapozo: That might be a problem. Perhaps you should extend the application period a little longer. The application is quite intimidating, and it should be, because they are applying for a lot of money. I think one (1) month might be too short, because I agree with Councilmember Cowden that there were other people who had solicited letters of support, I would assume from the other Councilmembers as well, for their projects, but I think they just did not turn in their applications. Councilmember Kualii'i.

Councilmember Kualii'i: Is the notice that you put out every year in October pretty much the same? Can someone know in a year in advance what to expect in the next year's application cycle?

Ms. Kanoho: Yes.

Councilmember Kualii: For anyone who was working on one but did not get it in, they can continue working on it and submit it in the next cycle, right?

Ms. Kanoho: That is correct.

Councilmember Kualii: Do you typically receive approximately the same amount of money each year?

Council Chair Rapozo: We used to get a lot more.

Ms. Kanoho: That is correct. It gets less and less every year. It decreases.

Councilmember Kualii: Nationally, there are some challenges being faced, too, right, with everything that is going on, so do you already know what the next funding cycle will bring you? No?

Ms. Kanoho: We know this funding cycle. We never know the next funding cycle in advance. It is always announced for that cycle.

Councilmember Kualii: Could you potentially work with applicants all year round?

Ms. Kanoho: Yes.

Councilmember Kualii: With putting the application together?

Ms. Kanoho: Most definitely, yes.

Councilmember Kualii: Okay, thank you.

Councilmember Cowden: That is really good to know. I have one last question.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: Essentially, have you already gotten this money so you know you will be able to deliver it? We just got back from Washington, D.C., and I know there is turbulence in the funding pipeline, but is this already committed funding from the Federal government to the County? Do you have it in your possession yet?

KERRILYN BARROS, Public Housing & Development Program Specialist III: *Aloha*, Council. Kerri Barros, CDBG Coordinator. These are anticipated funds based on the prior year. That is just the process. It is based on the prior year. We get a national announcement from the United States (U.S.) Department of Housing and Urban Development (HUD). The allocation is usually in about April, so when we start the process, we use an anticipated amount. In the past few years, it has been about

the same. Of course, it is less each year. No, we will be waiting for the official notification from HUD on the actual allocation amount.

Councilmember Cowden: Thank you. I am hopeful and happy that there is potential to make a difference for this vulnerable population.

Council Chair Rapozo: Are there any other questions? If not, thank you. Is there anyone in the audience wishing to testify? Seeing none, is there any further discussion? Councilmember Kaneshiro.

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

Councilmember Kaneshiro: I will be voting in favor of the moneys. I want to say that I am pretty hopeful. I have never heard of MHK before, and I did not think there were any mental health facilities on Kaua'i, so I am hopeful for that. They have been operating for a long time, but as we look at the homeless problem on the island, that is probably one of the ways the County will be able to handle some of the individuals who are homeless, because for the most part, I think a lot of them either have mental illness or some type of drug issue, but the County just does not have a facility for them. Right now, it is either the Kaua'i Police Department (KPD) or the hospital, which are not the proper facilities for them. It is promising to see MHK there and in the future, we will probably need to push for more mental health-type services like this, whether it is through the Federal government or the State government. I do not know if the County is able to provide these types of services.

Councilmember Cowden: I have follow-up on that.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: I am familiar with it, but mostly because of the people I know who have been successfully placed there. I think it does not get promoted much because the State of Hawai'i Department of Health, Adult Mental Health Division pretty much fills it, but I sometimes find that people do not stay very long, at least the ones who I am hearing from.

Council Chair Rapozo: Councilmember Bulosan.

Councilmember Bulosan: I will be voting in support. I want to echo thanks to the team that has been doing all the work on this. These are dire services that are provided to the community. I want to thank our Federal delegation for continuing to advocate for our community, and I hope our current administration actually reverses the trend and looks to invest more in this area because it is profoundly affecting our community throughout the nation. It is not a "Kaua'i-only" thing. If we are looking to create a better society, these are the types of programs that need to be funded and supported so that we can keep helping each other get better at all the things that we are trying to get better at.

Council Chair Rapozo: Councilmember Holland.

Councilmember Holland: I want to echo that, too. Thank you very much for all the hard work. This is one of the big issues that we face, so I appreciate all the hard work that you folks have put into this, and am hopeful that the money continues and that we are able to continue to support these things year after year. Thank you very much.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: I, too, want to add my appreciation. *Mahalo nui loa* for all your work. Absolutely, HUD’s CDBG program, HOME Investment Partnership Program (HOME) program, the CDBG Disaster Recovery (DR)...those are key programs that have been along for a long, long, long, long time as far as Federal funding and at the National Association of Counties (NACo), it is at the top of the priority list of what we fight for every time we go to Washington, D.C. Our entire delegation gets that, too, and continues to fight for that. With how things are nationally, if we lose that, we are in for a world of hurt, because that is basic. One thing I would say to you is that when you do your awards and whatnot each year, if there are any particular stories that you want to highlight and share with us, we can share it nationally, because they always put them all together and use them with articulating to the Federal legislators and the President, all our Federal leaders, the critical importance of these types of funds in all our communities across the country. Thank you for your work.

Council Chair Rapozo: Is there anyone else? If not, roll call, please.

The motion for adoption of Resolution No. 2025-20 was then put, and carried by the following vote:

FOR ADOPTION:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualii, Rapozo	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 Rapozo: Next item, please.

BILLS FOR FIRST READING:

Proposed Draft Bill (No. 2945) – A BILL FOR AN ORDINANCE AMENDING “KAUA’I KAKOU – KAUA’I COUNTY GENERAL PLAN” (2018) RELATING TO A PARCEL LOCATED IN ‘ELE‘ELE, KAUA’I (*County of Kaua’i Planning Department, Applicant*) (*GPA-2025-1*)

Councilmember Kualii moved for passage of Proposed Draft Bill (No. 2945) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for April 9, 2025, and that it thereafter be referred to the Planning Committee, seconded by Councilmember Cowden.

Council Chair Rapozo: Is there any discussion or public testimony? We had the Planning Department up earlier. Mr. Thomas? I thought you were raising your hand. I am sorry. Is there any further discussion? Seeing none, roll call.

There being no public testimony, the meeting proceeded as follows:

The motion for passage of Proposed Draft Bill (No. 2945) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for April 9, 2025, and that it thereafter be referred to the Planning Committee was then put, and carried by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualii, Rapozo	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.

Council Chair Rapozo: Next item, please.

Proposed Draft Bill (No. 2946) – A BILL FOR AN ORDINANCE AMENDING THE STATE LAND USE DISTRICT BOUNDARY RELATING TO A PARCEL LOCATED IN ‘ELE‘ELE, KAUAI (*County of Kauai Planning Department, Applicant*) (A-2025-1)

Councilmember Kualii moved for passage of Proposed Draft Bill (No. 2946) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for April 9, 2025, and that it thereafter be referred to the Planning Committee, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony? Seeing none, roll call.

There being no public testimony, the meeting proceeded as follows:

The motion for passage of Proposed Draft Bill (No. 2946) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for April 9, 2025, and that it thereafter be referred to the Planning Committee was then put, and carried by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualii, Rapozo	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.

Council Chair Rapozo: Thank you. Next item.

Proposed Draft Bill (No. 2947) – A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUA‘I COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING BOUNDARIES IN ‘ELE‘ELE, KAUA‘I (*County of Kaua‘i Planning Department, Applicant*) (ZA-2025-1)

Councilmember Kualii moved for passage of Proposed Draft Bill (No. 2947) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for April 9, 2025, and that it thereafter be referred to the Planning Committee, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?
Councilmember Bulosan.

Councilmember Bulosan moved to amend Proposed Draft Bill (No. 2947) as circulated, and as shown in the Floor Amendment, which is attached hereto as Amendment, seconded by Councilmember Kaneshiro.

Councilmember Bulosan: It is just typographical errors (typos). An “H” needs to be added.

Council Chair Rapozo: Is this a typo and a dash?

Councilmember Bulosan: Yes.

Council Chair Rapozo: Are there any questions on the amendment?
Is there anyone in the audience wishing to testify on the amendment?

There being no public testimony, proceeded as follows:

The motion to amend Proposed Draft Bill (No. 2947) as circulated, and as shown in the Floor Amendment, which is attached hereto as Attachment, was then put, and carried by the following vote:

FOR AMENDMENT:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualii, Rapozo	TOTAL – 7,
AGAINST AMENDMENT:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	None	TOTAL – 0,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Council Chair Rapozo: The motion carries. We are back to the main motion. Is there any further discussion? Roll call.

The motion for passage of Proposed Draft Bill (No. 2947) as amended on first reading, that it be ordered to print, that a public hearing thereon be scheduled for April 9, 2025, and that it thereafter be referred to the Planning Committee was then put, and carried by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualii, Rapozo	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.

Council Chair Rapozo: Next item.

Proposed Draft Bill (No. 2948) – A BILL FOR AN ORDINANCE AMENDING THE WEST KAUA'I COMMUNITY PLAN (2020) RELATING TO A PARCEL LOCATED IN 'ELE'ELE, KAUA'I (*County of Kaua'i Planning Department, Applicant*) (ZA-2025-2)

Councilmember Kualii moved for passage of Proposed Draft Bill (No. 2948) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for April 9, 2025, and that it thereafter be referred to the Planning Committee, seconded by Councilmember Carvalho.

Council Chair Rapozo: Is there any discussion or public testimony?
Seeing none, roll call.

There being no public testimony, the meeting proceeded as follows:

The motion for passage of Proposed Draft Bill (No. 2948) on first reading, that it be ordered to print, that a public hearing thereon be scheduled for April 9, 2025, and that it thereafter be referred to the Planning Committee was then put, and carried by the following vote:

FOR PASSAGE:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualii, Rapozo	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.

Council Chair Rapozo: The last item, please.

BILL FOR SECOND READING:

Bill No. 2941 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2024-896, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUA'I, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND, HIGHWAY FUND, G.E. TAX FUND, SOLID WASTE FUND, SEWER FUND, AND GOLF FUND (*HGEA Temporary Hazard Pay*)

Councilmember Kualifi moved for adoption of Bill No. 2941 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Cowden.

Council Chair Rapozo: Is there any discussion or public testimony?
Seeing none, roll call.

There being no public testimony, the meeting proceeded as follows:

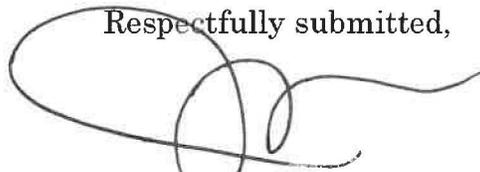
The motion for adoption of Bill No. 2941 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL:	Bulosan, Carvalho, Cowden, Holland, Kaneshiro, Kualifi, Rapozo	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 Rapozo: With that, there is no further business, this meeting is adjourned.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 9:52 a.m.

Respectfully submitted,


JADE K. FOUNTAIN-TANIGAWA
County Clerk

:slr

(March 12, 2025)

FLOOR AMENDMENT

Proposed Draft Bill No. 2947, A BILL FOR AN ORDINANCE AMENDING CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO ZONING BOUNDARIES IN 'ELE'ELE, KAUAI (*County of Kaua'i Planning Department, Applicant*) (ZA-2025-1)

Introduced by: ADDISON BULOSAN, Councilmember (By Request)

1. Amend Bill No. 2947, SECTION 3, as follows:

“SECTION 3. The Comprehensive Zoning Ordinance (CZO) is hereby amended by amending ZM-H 200 within the CZO referenced in Section 8-2.3 by making the following changes to [ZM-200] ZM-H 200 as shown in Exhibit A of this Ordinance and delineated via a formal survey with metes and bounds in Exhibit B, which are attached hereto and incorporated by reference, subject to the following conditions:

1. The Landowner is advised that additional government agency conditions may be imposed. It shall be the Landowner's responsibility to resolve those conditions with the respective agencies.”

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

V:\AMENDMENTS\2025\Floor Amendment 03-12-2025 Proposed Draft Bill No. 2947
County Zoning Amendment JA_dmc.docx