

PUBLIC HEARING

SEPTEMBER 15, 2021

A public hearing of the Council of the County of Kaua'i was called to order by Arryl Kaneshiro, Chair, Committee of the Whole, on Wednesday, September 15, 2021, at 8:50 a.m., at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Līhu'e, and the presence of the following was noted:

Honorable Bernard P. Carvalho, Jr.
Honorable Mason K. Chock
Honorable Felicia Cowden
Honorable Bill DeCosta
Honorable Luke A. Evslin (*via remote technology*)
Honorable KipuKai Kualii
Honorable Arryl Kaneshiro

Council Chair Kaneshiro: Please note that we will run today's meeting pursuant to the Governor's COVID-19 Response Emergency Proclamation with the most recent relating to the Sunshine Law dated August 5, 2021.

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

“Resolution No. 2021-27 – RESOLUTION AUTHORIZING THE ACQUISITION OF LAND FOR PUBLIC USE, TO WIT: THE 23.5-ACRE PARCEL OF LAND, SITUATED AT KĪLAUEA, DISTRICT OF KO‘OLAU, COUNTY OF KAUA‘I, HAWAII, TMK (4) 5-2-005-024, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN,”

which was ordered to print by the Council of the County of Kaua'i on August 18, 2021, and published in The Garden Island newspaper on August 31, 2021.

The following communications were received for the record:

1. Blaich, Beryl, dated September 15, 2021
2. Burns, Jeremy, dated September 14, 2021
3. Chase, Bill, dated September 14, 2021
4. Contractors Association of Kaua'i, dated September 14, 2021
5. Kaua'i Board of Realtors, dated September 10, 2021
6. L'Hote, Yoshito, for the Kilauea Neighborhood Association, dated September 10, 2021

The hearing proceeded as follows:

Council Chair Kaneshiro: We have two (2) speakers today, and we received numerous written testimony on this item. Our first speaker is Yoshito L'Hote.

YOSHITO L'HOTE (*via remote technology*): Aloha kakahiaka, Councilmembers. I would like to read our letter from the Kilauea Neighborhood Association in support of your position by eminent domain regarding Resolution No. 2021-27. Dear Council Chair Kaneshiro and Councilmembers, in 2006, the Kilauea Town Plan was released. It was a product of many meetings with members of the Kilauea Neighborhood Association (KNA) and the larger Kilauea community. It identified the long-term growth strategies that would best serve Kilauea for the foreseeable future. The Plan identified two (2) parcels of land that would be ideal for the inevitable and necessary expansion of Kilauea. One of these parcels is the subject property. Comprising twenty-three plus (23+) acres, the parcel stretches from Kūhiō Highway to the Post Office and directly adjoins the western edge of Kilauea. The Town Plan recommended that this parcel be primarily developed as housing opportunities for the growing Kilauea community and should be made affordable for the average "Kilauean." The Town Plan was adopted into the Kaua'i General Plan in 2008 and has served as a blueprint for the improvement and growth of Kilauea ever since. Various groups have repeatedly tried to work with the present owner to agree to sell the property at a reasonable cost. All efforts have failed. The landowner felt his property was worth at least ten to twenty (10-20) times the market value. The KNA fully supports the County's effort to acquire this property through the eminent domain process. This is a once in a lifetime opportunity to help shape the future of Kilauea. The KNA and broader community is fully committed to supporting this process and will take any and all actions necessary to help the County succeed in its effort to acquire this property for the long-term benefits it will bring to Kilauea. The KNA thanks you for your continued support of Kilauea, the North Shore, and the entire island of Kaua'i.

I would like to also state on my behalf as a "Kilauean" who has seen the incredible gentrification that has happened on the North Shore in the last couple of years, it is vital to secure land for the public, for workforce housing, and for other needs that the community needs that is regularly being pushed away now due to the high prices that are going. I commend Adam Roversi, the Housing Director, that is bringing an approach that I really appreciate. We are looking at not only providing those affordable housing units, but doing it in a way that will perpetuate the affordability for the future. I am in full support in many different ways that can help the Council and the County to help keep the land available for the future growth of the town for the town's people. *Mahalo.*

Council Chair Kaneshiro: Thank you, Yoshito. Next up, we have Beryl.

BERYL BLAICH (*via remote technology*): Good morning, Councilmembers. It is so very good to see all of you. Thank you for this opportunity this morning to speak in support of this Resolution of this eminent domain action for housing for Kilauea. I am just extremely grateful to the County Administration for determining to undertake this condemnation of the Birch property for the public purpose to provide affordable housing. I am really grateful and very grateful to the Council for unanimously passing the Resolution on the first reading—thank you very much. The County recognized the need for affordable housing in Kilauea for at least two (2)

decades. Back in 2000, they understood that our residential inventory had been consumed, prices were rising, and we had a housing crunch. The County really did respond. That was in the form of undertaking the Kilauea Town Plan, which Yoshito just talked about. It was really a well done plan that was done in 2005 and adopted by the County. The County's planners did engage the community in many public input processes. The most important recommendations were that what we needed in Kilauea was long-term affordable housing. We wanted that to be developed in a slow, deliberate process in phases and we wanted it to be a mix of uses. That is the long-term vision. It definitely identified the twenty-four (24) acre parcel adjacent to the town directly as the sort of most suitable, logical and initial right place to try to develop housing. Since then, as Yoshito and the Kilauea Neighborhood Association mentioned, there have been numerous attempts to approach Mr. Birch to find out what reasonable or possible price could be negotiated. The Neighborhood Association was even thinking about trying to undertake that ourselves, if we could. I want to say in summary, the acquisition of this land by eminent domain is right, it is needed, and the County is undertaking it with responsible resignation. I used to say that "This is such a bold action." I do not think you are being bold or reckless in any way; you are resigned to do what is right. I am extremely grateful and am counting on your support. Thank you so very much.

Council Chair Kaneshiro: Thank you, Beryl. We have a question from Councilmember DeCosta.

Councilmember DeCosta: I actually wanted to comment on you advocating for the Administration and Council for doing this beneficial, community act. You are a pillar in our community. I had a chance to serve with you in 2003 regarding Open Space. You are a pillar on the North Shore and across Kaua'i. For you to come out and say that the Council and the Administration is doing what is right for its people speaks volumes across Kaua'i. Thank you for that.

Ms. Blauch: Thank you. Thank you so much.

Council Chair Kaneshiro: With that, we have no further speakers.

There being no further testimony on this matter, the public hearing adjourned at 8:59 a.m.

Respectfully submitted,



JADE K. FOUNTAIN-TANIGAWA
County Clerk