

COUNCIL MEETING

JANUARY 31, 2024

The Council Meeting of the Council of the County of Kaua'i was called to order by Council Vice Chair KipuKai Kuali'i at the Council Chambers, 4396 Rice Street, Suite 201, Līhu'e, Kaua'i, on Wednesday, January 31, 2024, at 8:30 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 Bill DeCosta
Honorable Ross Kagawa (*present at 8:32 a.m.*)
Honorable KipuKai Kuali'i

Excused: Honorable Mel Rapozo

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

APPROVAL OF AGENDA.

Councilmember Carvalho moved for approval of the agenda, as circulated, seconded by Councilmember DeCosta.

The motion for approval of the agenda, as circulated, was then put, and carried by a vote of 5:0:2 (*Council Chair Rapozo and Councilmember Kagawa were excused*).

Council Vice Chair Kuali'i: The motion is carried. Next item, please.

MINUTES of the following meetings of the Council:

January 18, 2024 Public Hearing re: Bill No. 2911
January 18, 2024 Special Emergency Council Meeting

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

Council Vice Chair Kuali'i: Thank you. Is there anyone wishing to testify or provide testimony? Anyone in the audience?

There being no one present to provide testimony, the meeting proceeded as follows:

The motion to approve the Minutes, as circulated, was then put, and carried by a vote of 5:0:2 (*Council Chair Rapozo and Councilmember Kagawa were excused*).

Council Vice Chair Kualii: Motion carries. Clerk, our next item, please.

CONSENT CALENDAR:

C 2024-18 Communication (01/11/2024) from Councilmember Cowden, transmitting for Council consideration, a Resolution Establishing One-Way Traffic On Ho'onā Road, Kōloa District, County Of Kaua'i.

C 2024-19 Communication (01/17/2024) from Councilmember Kagawa, transmitting for Council consideration, a Resolution Urging The Hawai'i State Legislature And The Hawai'i Department Of Health To Create Subsidies And Amended Rules For Cesspool Conversions And Related Building Requirements.

C 2024-20 Communication (01/23/2024) from the Planning Director, transmitting for Council consideration, a Resolution Supporting The Approval Of The Ka Lei Momi Kapa'a Affordable Housing Project Pursuant To The Third Proclamation Relating To Affordable Housing Issued By The Governor Of The State Of Hawai'i.

Councilmember Carvalho moved to receive C 2024-18, C 2024-19, and C 2024-20 for the record, seconded by Councilmember Cowden.

Council Vice Chair Kualii: Thank you.

There being no one present to provide testimony, the meeting proceeded as follows:

The motion to receive C 2024-18, C 2024-19, and C 2024-20 for the record was then put, and carried by a vote of 5:0:2 (*Council Chair Rapozo and Councilmember Kagawa were excused*).

Council Vice Chair Kualii: Motion carries. Next item, please.

COMMUNICATIONS:

C 2024-21 Communication (01/10/2024) from the Chief of Police, requesting Council approval of the indemnification provision contained in the Magnet Forensics' End User License Agreement, to allow the Kaua'i Police Department (KPD) authorized software use and access to Magnet Forensics' digital forensics software updates.

Councilmember Carvalho moved to approve C 2024-21, seconded by Councilmember DeCosta.

Councilmember Cowden: I see we have our...

Council Vice Chair Kualii: One moment. I will suspend the rules and call up someone from the KPD. Thank you. State your name, for the record. Councilmember Cowden has a question.

(Councilmember Kagawa was noted as present.)

There being no objections, the rules were suspended.

PAUL N. APPLGATE, Acting Assistant Chief: Good morning. My name is Paul Applegate, for the record. I am an Acting Assistant Chief at the Kaua'i Police Department.

Councilmember Cowden: Thank you for being here. This is a recurring provision, funding, and updates, right? Is there anything that you want to share about it? Has there been any significant changes in our Magnet Forensics' digital forensics software that we need to know about or is it basically the same?

Mr. Applegate: To answer your first question, yes. This is recurring, that we had about five (5) years now. It is been working out really well and there has been no significant changes in the way we use it or in the cost.

Councilmember Cowden: Okay, thank you.

Council Vice Chair Kualii: Thank you. Are there any other members with questions? No? Thank you.

Mr. Applegate: Thank you very much.

Council Vice Chair Kualii: Is there anyone signed up to testify? No one signed up. Is there anyone from the audience wishing to testify?

There being no one from the public wishing to testify, the meeting was called back to order, and proceeded as follows:

The motion to approve C 2024-21 was then put, and carried by a vote of 6:0:1
(Council Chair Rapozo was excused).

Council Vice Chair Kualii: Our next communication, please.

C 2024-22 Communication (01/12/2024) from the Emergency Management Administrator, requesting Council approval to receive and expend United States Department of Homeland Security (DHS) grant funds, via the State of Hawai'i Department of Defense – Hawai'i Emergency Management Agency (HI-EMA), in the amount of \$150,000.00 with a 50% cost-match, for the Fiscal Year 2023 Emergency Management Performance Grant, which will support an existing Kaua'i Emergency Management Agency (KEMA) staff position (Emergency Management Staff Specialist), which supports day-to-day prevention, protection, mitigation, response, and recovery activities.

Councilmember Kagawa moved to approve C 2024-22, seconded by Councilmember DeCosta.

Council Vice Chair Kualifi: Thank you. Members, does anyone have any questions for KEMA? Okay. Anyone wanting to testify or have signed up to testify? Is there anyone from the audience wishing to testify?

There being no one present to provide testimony, the meeting proceeded as follows:

Council Vice Chair Kualifi: Is there any final discussion?

The motion to approve C 2024-22 was then put, and carried by a vote of 6:0:1 (*Council Chair Rapozo was excused*).

Council Vice Chair Kualifi: The motion carries. The next item, please.

C 2024-23 Communication (01/17/2024) from the Prosecuting Attorney, requesting Council approval to apply for, receive, and expend Federal funds for the Domestic Violence Prosecution Unit for Fiscal Year 2023 STOP Violence Against Women Act (VAWA) formula grant, in the amount of \$50,379.00, and to indemnify the State of Hawai'i Department of the Attorney General, to support a 0.65 Full-Time Equivalent (FTE) Deputy Prosecuting Attorney and supplies, for the anticipated period of June 1, 2024 to January 31, 2025.

Councilmember Carvalho moved to approve C 2024-23, seconded by Councilmember DeCosta.

Council Vice Chair Kualifi: Thank you, members. Are there any questions for our Prosecutor? Did anyone sign up to testify? Is there anyone from the audience wishing to testify? Alright. Is there any final discussion?

There being no one present to provide testimony, the meeting proceeded as follows:

Council Vice Chair Kuali'i: Councilmember Cowden.

Councilmember Cowden: I just want to thank the different departments for finding extra funding to help support our programs and for people who are watching when we are not asking questions, these are reoccurring grants that we are going through that help support our workforce and so, they do important things, and we thank you.

Council Vice Chair Kuali'i: I will just reiterate. If you listen to the item when it is being read, it says, "to apply for, receive and expend," and then it says the amount, "fifty thousand dollars (\$50,000)" for the Prosecutor. So, if any of the councilmembers would have questions for further detail than what is in the item, we have that chance to ask. Thank you. Is there any other final discussion?

The motion to approve C 2024-23 was then put, and carried by a vote of 6:0:1 (*Council Chair Rapozo was excused*).

Council Vice Chair Kuali'i: The motion carries. The next item, please.

C 2024-24 Communication (01/18/2024) from the Executive on Aging, requesting Council approval to receive and expend Federal funds, in the amount of \$174,098.00, and to indemnify the State Executive Office on Aging, for the provision of Title III services of the Older Americans Act, which includes supportive services, congregate meals, home-delivered meals, preventive health programs, and the National Family Caregiver Support Program, for the Federal Fiscal Year 2024. This award is through September 30, 2025.

Councilmember Carvalho moved to approve C 2024-24, seconded by Councilmember Cowden.

Council Vice Chair Kuali'i: Members, are there any questions for the Executive on Aging? Did anyone sign up to testify? Is there anyone from the audience wishing to testify? Members, is there any final discussion?

There being no one present to provide testimony, the meeting proceeded as follows:

The motion to approve C 2024-24 was then put, and carried by a vote of 6:0:1 (*Council Chair Rapozo was excused*).

Council Vice Chair Kuali'i: Next item, please.

C 2024-25 Communication (01/19/2024) from the Council Chair Rapozo, requesting the presence of the Managing Director, to provide a briefing regarding

Ordinance No. B-2023-892, relating to Capital Improvements and financing thereof for the Fiscal Year July 1, 2023 to June 30, 2024, including an update on project timelines and progress.

Council Vice Chair Kualifi: Members, this item was brought forward by Council Chair Rapozo and since he is out today, and we have also talked to the Administration, and they are okay with delaying for a couple of weeks, so the motion that I am asking for is a motion to refer to the February 21, 2024 Committee of the Whole Meeting.

Councilmember Cowden moved to refer C 2024-25 to the February 21, 2024 Committee of the Whole Meeting, seconded by Councilmember DeCosta.

Council Vice Chair Kualifi: We are going to honor the Chair's request.

Councilmember Cowden: We will honor the request and I am definitely very interested in some details on this.

Council Vice Chair Kualifi: We will have questions then, too. Is there anyone wishing to testify?

There being no one present to provide testimony, the meeting proceeded as follows:

The motion to refer C 2024-25 to the February 21, 2024 Committee of the Whole Meeting was then put, and carried by a vote of 6:0:1 (*Council Chair Rapozo was excused*).

Council Vice Chair Kualifi: Next item, please.

C 2024-26 Communication (01/23/2024) from the Prosecuting Attorney, requesting Council approval to lease office space located at 4331 Rice Street, Lihue, Hawaii 96766, for a minimum of three (3) years effective March 1, 2024 to March 31, 2027, using unexpended Department budget funds up to the amount of \$150,000.00. The space will house a minimum of three (3) staff members and support the E Ho'i I Ka Piko Program and Life's Choices.

Councilmember Carvalho moved to approve C 2024-26, seconded by Councilmember Cowden.

Council Vice Chair Kualifi: I would like to call up the Prosecutor for a couple of questions. Primarily, if you could just start by giving us an overview of what this is and provide a little bit more detail. I think people are familiar with the Life's

Choices program, but the, E Ho'i I Ka Piko Program—you could tell us a little bit more about that and about the funding and about the matching, where that will come from.

There being no objections, the rules were suspended.

REBECCA V. LIKE, County Prosecuting Attorney: Good morning. Prosecuting Attorney Rebecca Like. Our office secured a one-million-dollar grant with the assistance of our Life's Choices Director Michael Miranda, from the Bureau of Justice Administration and that grant is to provide reentry services to individuals getting released from Kaua'i Community Correctional Center (KCCC). It has to be a randomized control trial, which means that not everyone being released can participate.

We will track outcomes of those participating in the program against those not participating with the expected result that those participating in the program will have less likelihood of recidivating, reoffending, or getting rearrested.

The idea behind the program is to have a case worker located at the office space to assist people in getting their needs met, whether that be getting an identification card (I.D.), getting insurance, finding housing, workforce development, things of that nature and the plan is to have Michael Miranda or the other Life's Choices staff member, the individual who is going to be funded through this grant program. We have five (5) years' worth of funding for a position to administer the program and then we would probably also have one of our investigators also in that area just to have a little bit of security. Our investigators in our office are retired police officers, so it just adds a little bit of security and safety for the Life's Choices folks. If you have additional questions, I could address more specifically.

Council Vice Chair Kualii: Thank you. Councilmember DeCosta.

Councilmember DeCosta: Thank you for that explicit review. I am more interested in that five-year program that we got the grant for and you are requesting one hundred fifty thousand dollars (\$150,000) for office space to house a new program. You said a case worker and you need an office space for that case worker to run this program. I know that we spent a lot of money renovating and creating a new office space right across the police department, which is your office, correct?

Ms. Like: In the time that I have been at the office, there has not been any a lot of money expended on any sort of renovations to our office, and we do not have the space to accommodate additional employees in our current space, but go ahead.

Councilmember DeCosta: This seems like quite a bit of funding that we are putting towards—is this every year for the next five (5) years that you are going to request one hundred fifty thousand dollars (\$150,000) for the office space?

Ms. Like: This is for three (3) years. It is a three-year lease of office space. We are hoping we could secure something closer to the Office of the Prosecuting Attorney Office. Ideally, between the courthouse and cellblock, so folks getting released from the courthouse and from cellblock could have a place to go to access resources. However, that is going to take some time to navigate that hope. We are trying to secure a more semi-permanent location in the interim.

Councilmember DeCosta: By far, I am not trying to badger you. I really appreciate all the work you your staff does, but we are in charge of our constituents' taxpayer's dollars, and when I look at this funding and I look at what the Building Division had to do with water damage and cubicles, and confined—is it just one case worker who needs a space to run a program? Are we able to house that one case worker in a smaller cubicle or is this for an office that is going to hold three (3) people and you need a little bit bigger space? I am trying to wrap my head around it. Are we talking one (1) employee or we talking three (3) employees that this program is going to house?

Ms. Like: That is a good question. The grant itself funds the position for five (5) years, so that is the person who is going to administering the program. However, because we are going to be working with newly released individuals and they are going to be needing a meeting space to do coordination, in my assessment, it seems like a safer, wiser option to not have that person by themselves and also, Michael Miranda is going to assist in overseeing the program and currently, Michael and Shar, the two (2) Life's Choices employees in my office, share a vacant attorney's office. The current situation is just not feasible for our hopes for the grant, for a number of reasons. One being that, newly released individuals are going to be hesitant to come to the police station or our office to meet with people, for obvious reasons. There could be some hesitancy, lack of trust in law enforcement, which could affect the outcome that we are trying to get to. I guess the short answer to your question is, we would prefer to have everyone together; the investigator, Michael, Shar, and have our new hire.

Councilmember DeCosta: I was just thinking out loud. I was just wondering if you had a preference. When you talk about these people, newly released, and not trusting KPD and not feeling comfortable, but you also made a statement that you thought in the future, would be good to move them over to your side because you would have KPD right there. I am looking at safety and having KPD right across from the Office of the Prosecuting Attorney provides that ultimate safety for the newly released person. There has been factual data that newly released prisoners tend to reoccur in crime and sometimes, it just happens. We just saw it on the news. I was just looking for the safety of your staff and your decisions. Thank you for that. I am okay with all of the explanations.

Ms. Like: Okay, thank you.

Council Vice Chair Kualii: Okay, I have Councilmember Kagawa next, followed by Councilmember Cowden, followed by Councilmember Bulosan.

Councilmember Kagawa: I am not familiar, off the top of my head, where 4331 is. What is next to 4331, so the public knows?

JAMIE D. E. O. SHANKS, Grant Coordinator: Hi, Jamie Shanks, Grant Coordinator, Office of the Prosecuting Attorney. 4331 is actually located—the building itself is located by the Rice Shopping Center, which is where the Kaua'i Bowling Center is. It is at the corner building right next to New Hope Collective Church.

Councilmember Kagawa: Oh, okay.

Ms. Shanks: There is a three-story building, newly built building.

Councilmember Kagawa: So, kind of like between the old Kaua'i Toyota and the Rice Shopping Center?

Ms. Shanks: Yes.

Councilmember Kagawa: Is it a brand-new building?

Ms. Shanks: Yes.

Councilmember Kagawa: I looked at the total, two thousand nine hundred dollars (\$2,900), plus electricity—electricity may be sort of high. I was just looking at maybe thirty-six thousand dollars (\$36,000) per year, but why are we budgeting fifty thousand dollars (\$50,000) per year?

Ms. Shanks: We are also looking at the expenses for electricity. We are going to be responsible for that, the computer setups, and some of the other things that will take for us to get everything situated, and have our staff move over there.

Councilmember Kagawa: Did you folks look at the County's current empty spaces first? They do not know what to do with the old Big Save, right? Were those options also looked at?

Ms. Like: We are certainly open to considering other options, but our funding is going to be starting on April 1st. That is when we can hire our new person. Initially, we had hoped that we could have something closer to our office, but just because timing wise, it does not look like we are going to secure

something in the time to start our grant. That is why we are trying to secure office space in the interim.

Councilmember Kagawa: Well, I understand. We went through this with the County Auditor, renting that very expensive space across the street. I guess it is the Calipjo Building, right here and we paid a lot of rent and barely used it. I know that you folks are planning to use it, but I am always looking internally and what the county owns is always the cheapest way. We could use the rent for the operations or whatever, but if that is the best choice right now, I support it. Thank you. Thank you, Vice Chair.

Council Vice Chair Kuali'i: Councilmember Cowden.

Councilmember Cowden: Thank you so much for making the effort to do this program, because I think it is really important as we do see issues with recidivism. Okay, this new office, just to clarify again, is a place where the newly released client will come and be counseled and supported, right? They are going to be in the office from time to time.

Ms. Like: Correct.

Councilmember Cowden: Do they get any support prior to the release or is it after they get out of cellblock or court, because a lot of those things, like having an ID or having those points of stability, it is good when you get out that you can cash a check or get a bus pass.

Ms. Like: That is a great question and we are still working on the logistics of how that transition is going to happen, as well as how we are going to be selecting participants, right? Part of the program, it needs to be evidence-based so that it is actually making a difference in the lives of the released individuals. We have to randomly select people to participate. Our office was able to award grant funding to Kaua'i Region of Recovery Services and I actually just received a message this morning that they are trying to do discharge planning for every individual being released from the jail. It is separate from our program. However, I hope that we can coordinate with them to generate good outcomes for the folks participating in our program. Currently, we do not have a plan in regards to what is going to happen prior to release, but we are hoping to work out those logistics prior to the start of the program.

Councilmember Cowden: How many clients are we anticipating in a year? If we are given "x" amount of money, is it enough to service thirty (30) people or fifty-percent (50%)? Do we have any idea of how many clients we are going to be supporting?

Ms. Like: I am not certain. I would guestimate that between three (3) to seven (7) people get released from the jail every week. If we were able to serve half of that population...

Councilmember Cowden: It would be one hundred and four (104).

Ms. Like: Correct. There you go, or somewhere in that vicinity.

Councilmember Cowden: Or one hundred and fifty (150). Something like that.

Ms. Like: Right. I would hope that we could serve at least half of the individuals getting released, but there are variants right, in how many people get released, week-to-week. Some weeks, it might be eleven (11) some weeks, it might be zero (0), right? I am hoping we can serve at least half of that number.

Councilmember Cowden: Would be between one hundred (100) and two hundred (200) people per year?

Ms. Like: I would say probably closer to fifty (50), but between fifty (50) to a hundred (100) maybe, in that range.

Councilmember Cowden: Okay, and then it is random in how they are selected?

Ms. Like: Yes.

Councilmember Cowden: I wish they were all selected, honestly. When we take half, are we committed to taking whatever percentage—we are committed to separating out some from others for this whole five (5) years of the grant?

Ms. Like: Correct. Yes, but individuals getting released will still be able to participate in that other program that I just referenced... the program upon exit where they are going to getting access to services and have a discharge plan from the jail, but that is part of this one-million-dollar award is that we have to compare outcomes for folks participants in the program against folks who did not get to participate to see if it is working.

Councilmember Cowden: How long will these clients have services? Would it be for six (6) months, a year? Would it be for five (5) years?

Ms. Like: That is a good question. I am not certain yet. We need to work with our grantors to see what they advise in regard to "outcomes." I would anticipate that some clients are going to need longer-term services than others

may, depending on, if they need housing or if they need assistance with finding a job. I am not sure exactly the length of the services.

Councilmember Cowden: We could say, as time moves on, we are going to have a longer and longer—I mean, as time moves on, we are going to have a greater number of clients that are going to come in for support. They will be in differing times of their continuum, right? But if someone is being supported for a year, on week fifty-three (53), you are going to have more clients than on week one (1), right? It certainly makes sense to me that we have a larger space and then—we are just right now saying, “yes,” on this. Maybe we can have a fuller briefing as we get closer into doing it because I would hope that we are partnering with different support organizations and, I think there is a lot of capacity to do really good things for people. I am just going to pose this question to you, where you can just contemplate it and that is, if we are seeing a remarkable difference between supported people being released and the control group falling apart—we are two (2) years into the program, I would hope that we could start supporting as many as possible. I would certainly be willing to fund that because it is not about the dollars and cents we pay in electricity and rent. It is about the dollars and cents that we save by having more productive people in our community and less victims.

Ms. Like: I completely agree with you. I do not want to get ahead of myself, but ultimately, my hope would be to have a resource center where everyone could go to access resources, but right now, we are just talking about this five-year program. That would ultimately be my hope after this program is completed, but right here, we are just talking about this.

Councilmember Cowden: Yes, thank you.

Council Vice Chair Kuali'i: Thank you. Councilmember Bulosan.

Councilmember Bulosan: Thank you for the program. Just clarifying that this is unexpended budget you already have? You are not asking for new money.

Ms. Like: Correct.

Councilmember Bulosan: The program is already funded by the grant so it is not new money then.

Ms. Like: Correct.

Councilmember Bulosan: Thank you.

Council Vice Chair Kuali'i: Councilmember Carvalho.

Councilmember Carvalho: Just for clarification between... and I am totally familiar with the Life's Choices program and of course E Ho'i I Ka Piko. Are these two (2) separate or have some crossover?

Ms. Like: Michael Miranda assisted us in securing this grant funding, but the E Ho'i I Ka Piko Program is under that Life's Choices umbrella. However, it is a separate program so that is the one being funded by the one-million-dollar grant. I am not sure if that answers your question.

Councilmember Carvalho: I just want to clarify how it falls under that umbrella, like you said, because it is an important program, so it needs to work together, obviously and reach out.

Ms. Like: It makes sense to have a little bit of separation from what my *kuleana* is and from what Life's Choices *kuleana* is because there is overlap, but there is also a distinction.

Councilmember Carvalho: Okay, thank you.

Council Vice Chair Kualii: Okay, are there any other questions for the Prosecutor?

Councilmember Kagawa: Yes.

Council Vice Chair Kualii: Councilmember Kagawa.

Councilmember Kagawa: Clarifying. Where is the unexpected savings? Where did that come from?

Ms. Like: Unexpended salaries.

Councilmember Kagawa: Thank you.

Council Vice Chair Kualii: Thank you, Prosecutor. Thank you, Prosecuting team. Thank you for thinking of all our questions as "good questions," even maybe when we kind of drifted into your program that you are still developing, but thank you. I think we all learned a lot.

Ms. Like: Thank you.

Council Vice Chair Kualii: While the rules are still suspended, is there anyone signed up to testify? Is there anyone from the audience wishing to testify? Members, is there any final discussion? Councilmember Kagawa.

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

Councilmember Kagawa: Thank you. I totally support the concept of trying to keep track of newly released prisoners. I hope that we can provide support to get them successful and out of continued life of crime. I think it saves millions of dollars in police and millions of dollars in prosecuting time as time goes on. If we can gain success in this area and so, total support for the concept. When I lived on O'ahu for college, O'ahu, was relatively safe. There was crime, but look at it today. A lot of the cases that you look at, it is "just released," or not even, or "ready to be put in" and then they get in trouble again. The more they offend and we can keep track, and try to provide support in any way I think you can see when someone who got in trouble is getting better or getting worse by actually meeting with them and talking story with them. I am in total support for this. Let us try and do what we can for Kaua'i before it becomes like O'ahu. Thank you. Thank you, Vice Chair.

Council Vice Chair Kuali'i: Thank you. Councilmember Cowden.

Councilmember Cowden: Yes, first of all, I want to just say I am really encouraged that this program is being managed by Michael Miranda who has had an earlier career as a compassionate and effective probation officer. I think he really understands the challenges, so I have a lot of confidence that he is going to understand how to address this. It is certainly an economic benefit to us to have less people making bad choices in our community, but it is also really supportive of the generations that surround the individuals that make mistakes or do bad things. They have children. They have parents. They have families. When they have a member of their family returned in a way where they are able to be productive and helpful, it helps all those surrounding it. My experience with talking to inmates and with people who are actively in the displaced community, so many people have a hard time returning to a productive society because they do not have a drivers license, any kind of stability, they are unbankable, and no place to go. This is absolutely what we need. Five (5) years seems like an eternity to me when this help was needed yesterday. I am really hoping, and I will be continuously pushing. If we see success to be speeding up the process, I think with the right team and I appreciate the team that we have working on this, it will be better for our entire community, and I hope the Country is moving in this direction. I know this is a federal grant, so I support this fully.

Council Vice Chair Kuali'i: Thank you. Councilmember DeCosta.

Councilmember DeCosta: Thank you, Rebecca and your team. Very impressed. I am never not impressed with you, but as a Councilmember, our job is to be fiscally responsible and that is where I come with this. I am not talking about the million-dollar grant you got. I am not talking about all the funding that goes towards rehabilitation for criminals. I am talking about one hundred fifty thousand

dollars (\$150,000) of unexpended salaries that we going to use toward a rental space. During our next budget, are we going to request another one hundred fifty thousand dollars (\$150,000) of salary funding plus another one hundred fifty thousand dollars (\$150,000) for rent? It is going to equivalent to an overage of three hundred thousand dollars (\$300,000) added to your budget. I am just trying to be fiscally responsible and ask my questions and be caring about our constituents' taxpaying dollars. Where do we spend this money? When I look back at our conversation piece, we had on the floor with our Pi'ikoi Building and our Mayor, administration team wanted seven million dollars (\$7,000,000) to renovate the building, I am thinking, if that building as renovated, we could have an office space in there for this program. Then, we would not have a reoccurring expense of rent. I am sorry if I asked the tough questions. I support you one hundred percent (100%), but I need to be responsible to my constituents also. Thank you.

Council Vice Chair Kualii: Councilmember Bulosan.

Councilmember Bulosan: I am happily supporting this. This is part of a whole change around philosophically to how we take care of community and our society. This is what restored justice is and if a space like this for three (3) years that enables us to provide the care that is needed, one hundred fifty thousand dollars (\$150,000) is a drop in the bucket of the ramifications of long-term health effects and the effects that happens to families and destroys the society that we call home now so I am really excited to see this program in place and that we have a space for it.

Council Vice Chair Kualii: Councilmember Carvalho.

Councilmember Carvalho: Interesting. Again, totally supportive of the program in general as far as what you are requesting. I know maybe as we move and transition, then maybe other opportunities, but for now, that is what I am hearing. We need it tomorrow and at the same time, it reaches out into our community and like, Camp Agape Hawai'i, which ties in as far as I am concerned, children of incarcerated parents and so a lot of the programing, and U-Turn for Christ in Anahola, there is things happening. We need to connect and keep it moving forward. In this request, totally supportive and looking forward to more updated information as we move forward cause this is a big program. I think it is going to really resonate in our community so, thank you.

Council Vice Chair Kualii: Yes, *mahalo nui loa*, Prosecutor, your team, Mike Miranda, Life's Choices, and all of you. Exciting. April starts, so right around the corner, new program, taking an innovative approach and improve safety in our community so thank you.

The motion to approve C 2024-26 was then put, and carried by a vote of 6:0:1
(*Council Chair Rapozo was excused*).

Council Vice Chair Kualii: Clerk, next item, please.

CLAIMS:

C 2024-27 Communication (01/08/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Wenjiu Liu, for wrongful arrest and malicious prosecution, pursuant to Section 23.06, Charter of the County of Kaua'i.

C 2024-28 Communication (01/08/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by William K.A. Rodrigues-Kaiwa, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kaua'i.

C 2024-29 Communication (01/18/2024) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Nancy Vail, for vehicle damage, pursuant to Section 23.06, Charter of the County of Kaua'i.

Councilmember Kagawa moved to refer C 2024-27, C 2024-28, and C 2024-29 to the Office of the County Attorney for disposition and/or report back to the Council, seconded by Councilmember Cowden.

There being no one present to provide testimony, the meeting proceeded as follows:

The motion to refer C 2024-27, C 2024-28, and C 2024-29 to the Office of the County Attorney for disposition and/or report back to the Council was then put, and carried by a vote of 6:0:1 (*Council Chair Rapozo was excused*).

Council Vice Chair Kualii: The motion carries. Clerk, next item please.

COMMITTEE REPORTS:

PARKS & RECREATION / TRANSPORTATION COMMITTEE:

A report (No. CR-PRT 2024-01) submitted by the Parks & Recreation / Transportation Committee, recommending that the following be Received for the Record:

"PRT 2024-01 – Communication (11/27/2023) from Councilmember Kagawa, requesting the presence of the Director of Parks & Recreation and Jeremiah G. Aguilera, Kaua'i District Manager, State of Hawai'i Department of Land and Natural Resources, Division of Boating and Ocean Recreation, to provide a briefing regarding small boat harbors and boat ramps, including but not limited to rules and enforcement, including maximum time allowed per boat for launching and returns, and whether a limit should be placed on the

number of Nā Pali sightseeing tours to prevent environmental damage and manage tourism impacts,”

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

Council Vice Chair Kualii: Thank you. Is there anyone wishing to testify on the report from our Parks & Recreation / Transportation Committee?

There being no one present to provide testimony, the meeting proceeded as follows:

The motion for approval of the record was then put, and carried by a vote of 6:0:1 (*Council Chair Rapozo was excused*).

Council Vice Chair Kualii: Motion carries. Next item, please.

FINANCE & ECONOMIC DEVELOPMENT COMMITTEE:

A report (No. CR-FED 2024-01) submitted by the Finance & Economic Development Committee, recommending that the following be Approved on second and final reading:

“Bill No. 2911 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2023-891, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2023 THROUGH JUNE 30, 2024, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Fire Engine #5, Kalāheo Replacement - \$1,000,000.00*),”

Councilmember Kagawa moved for approval of the report, seconded by Councilmember DeCosta.

Council Vice Chair Kualii: Is there anyone wishing to testify?

There being no one present to provide testimony, the meeting proceeded as follows:

The motion for approval of the record was then put, and carried by a vote of 6:0:1 (*Council Chair Rapozo was excused*).

Council Vice Chair Kualii: Motion carries. Next item, please.

COMMITTEE OF THE WHOLE:

A report (No. CR-COW 2024-02) submitted by the Committee of the Whole, recommending that the following be Received for the Record:

“COW 2024-01 – Communication (01/05/2024) from Council Chair Rapozo, requesting the presence of Kirby L. Shaw, Executive Director, Disability Communication Access Board (DCAB), to provide a briefing/training regarding the Disability Communication Access Board,”

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

Council Vice Chair Kuali'i: Is there anyone wishing to testify?

There being no one present to provide testimony, the meeting proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 6:0:1(*Council Chair Rapozo was excused*).

Council Vice Chair Kuali'i: Motion carries. Next item, please.

RESOLUTIONS:

Resolution No. 2024-05 – RESOLUTION ESTABLISHING ONE-WAY TRAFFIC ON HO'ONĀ ROAD, KŌLOA DISTRICT, COUNTY OF KAUAI

Councilmember Carvalho moved for adoption of Resolution No. 2024-05, seconded by Councilmember Cowden.

Council Vice Chair Kuali'i: Thank you. Councilmember Cowden, this Resolution is from you.

Councilmember Cowden: Yes, it is and I have a short presentation.

Council Vice Chair Kuali'i: Okay. The floor is yours.

Councilmember Cowden: This Resolution establishes one-way traffic on Ho'onā Road in Kōloa, which is right there near what is called Baby Beach, across from the area close to Lāwa'i Beach Resort. This was brought to me by the community. Apparently, they have been asking for decades, so we are going to see a few pictures. Okay, right here. If you look up here, you will see where it is. Right along the water there, you will see this loop that is there. This is, as you go past the

roundabout in Po'ipū, and you curve around to the right, there are just a few remaining residential homes in this area. The rest are almost all vacation rentals, so for many of the people that would be needing to learn a new pathway, they are brand new to the island and it is not hard to figure out how to go one-way, from east to west here. The reason why we chose east to west is because the fire trucks are just a little bit up from that upper right-hand corner when they come out of the fire station. They would be able to ...

Councilmember DeCosta: Can you show with the arrow? I cannot see without the arrow.

Councilmember Cowden: I do not know how to use the arrow. Do you know?

Councilmember Kagawa: It is just that little loop.

Councilmember Cowden: Okay, there we go. Thank you. Right up here is where the fire station is so, if the fire trucks came down, they would just go like this, right, and they go out. Whereas, if the fire trucks had to go like this and come around, that is not an easy angle. Here is where we have cars on just one side of the road. You can see it is a really narrow road. When the cars are on both sides of the road, can you imagine when you have an ambulance coming through in the opposite direction of a truck? Very difficult to manage and it is like this on a routine basis. I have been down there with my Honda Fit that I used to own, I would not be able to go side-by-side with an oncoming car. People come through and they have to pull off to the side, like into someone's driveway for another car to pass. We have many roads on the island like this. Here is another image. Here is an imagine where you see a little bit of room, but see how big that vehicle is. You see half the body of his vehicle is out into the road. If you have several vehicles like that, it is a small disaster. Here is how we have it set up. When people come down here on Lāwa'i Road, this brings them back. I mean, they can go in both directions here. They can go in both directions here. If someone lives here, they are not forced to go all the way around, they are able to come up and go out. There will still be a little congestion right in here, but here is where the one-way begins. It is going to come out here and it is going to end as it comes out. This is Baby Beach where people tend to be crowding this area and the other thing that is in the Resolution and I can read certain portions of the Resolution is, that for people on bicycles, they can go in both directions. It is not going to be one-way for bicyclists and obviously, pedestrians. We are just trying to create a little bit of extra space. When we look at the Resolution here, it is towards the back of our agenda and so, you see in Section 2, that is where we make sure that non-motorized users and bicycles can go in both directions. We made sure to allow for not making difficult situations for these two. That is in Section 1 and so, I am just going to read a few pieces in here. "Whereas, the Engineering Division of the Department of Public Works, based on an engineering and traffic investigation, has

recommended that if the Kauaʻi County Council decides to convert Hoʻonā Road to one-way traffic, that one-way traffic be established in the westbound direction on Hoʻonā Road between Kāheka Road and Lāwaʻi Road.” So, they are basically good with this. The Police and Fire were good with this, and this does say, “the Resolution shall take effect upon its approval and the posting or marking of appropriate signs and markings. However, no person shall be punished for violating this Resolution until clear and legible markers or signs indicating the necessary adjustments have been installed.” We have some people from the neighborhood here. Thank you for coming. We would hope that people start observing this just to make it easier, but if somebody makes a mistake, until the signs are up and clear that is not going to be ticketed or challenged. Do we have anyone from the Department of Public Works?

Council Vice Chair Kualiʻi: Thank you.

Councilmember Cowden: Yes. Oh, I am sorry.

Council Vice Chair Kualiʻi: Are you done?

Councilmember Cowden: Yes, done.

Council Vice Chair Kualiʻi: Thank you. I am going to suspend the rules so we can have questions from the Members to you, Councilmember Cowden, as well as to anyone from the Administration. The one thing I just wanted to start with is your fourth whereas that you just referred to about the Engineering Division and the Department of Public Works saying that if we did this, they recommend we do it this way. So, does this infer that you have worked with them, and that they support this Resolution?

Councilmember Cowden: Absolutely.

Council Vice Chair Kualiʻi: Okay and so, Members any questions for Councilmember Cowden or the Administration?

Councilmember Kagawa: Yes.

Council Vice Chair Kualiʻi: Councilmember Kagawa, then Councilmember DeCosta.

Councilmember Kagawa: As a new grandfather, I frequent that beach a lot now, and it is always a “hit or miss” whether you can find available parking, so my question is, will this Resolution affect local residents from parking and enjoying the beach?

Councilmember Cowden: There is nothing in here about the parking or any prohibiting...

Councilmember Kagawa: Will it reduce the parking for local residents who use or frequent that beach? My observation is that a lot of locals use it because there is no parking at Po'ipū Beach and it is safe. You can take a two-year-old, one-year-old to swim there and not worry that they are going to get hurt. My question is, is it going to affect local residents from parking on shoulders that currently use the beach?

Councilmember Cowden: No, because we are not changing the parking. What we are doing is, making it be only one-way, so people will probably still continue. This does not have amendments to the parking, people are still parking on the road. Though, instead of parking where they are facing opposite, they are going to both be parking in the same direction and we will have basically room, generous room for one lane of traffic to be going in one-direction.

Councilmember Kagawa: When they put up those "No Parking," signs, will those "No Parking" signs prevent some cars from parking there?

Councilmember Cowden: Where are they putting up the "No Parking" signs?

Councilmember Kagawa: Well, I mean, I do not know what the signage is going to say...

Councilmember Cowden: The sign is going to say, "One-way."

Councilmember Kagawa: My observation is that it is almost one hundred percent (100%) of vacation rentals in the area. How many residents live on that road?

Councilmember Cowden: Well, I think...

Councilmember Kagawa: How many are local residents that live on that road?

Councilmember Cowden: I think, Julie Souza. I am hoping I got her location correct. Is this right? No, right here?

Councilmember Kagawa: Okay, one.

Councilmember Cowden: She has a rental next to it, long-term rental and then, we might have a couple of people in there...

Councilmember Kagawa: No, that live there though. Local residents that live there.

Councilmember Cowden: That is what I am talking about.

Councilmember Kagawa: How many local residents live there?

Councilmember Cowden: There is at least four (4).

Councilmember Kagawa: Four (4)?

Councilmember Cowden: And the rest are all vacation rentals. So, the four (4) people that live there are the people who asked for it very passionately, for a long time. And someone like Julie Souza, I believe her grandson...

Councilmember Kagawa: I know Julie. My question raises because we have all of these beach accesses all over the island and the vacation rental folks always want to say, "No, do not park over here." At the end of the day, these accesses provide access for local residents to use the beach. Now, if we are going to reduce the amount of parking, that is my only concern, I am going to vote, "no."

Councilmember Cowden: Okay, but where are you seeing a reduction in parking?

Councilmember Kagawa: I do not know. We are making a change. When you make a change, sometimes, you have unintended consequences.

Councilmember Cowden: I have asked for one-way signage and no "No Parking." I see that we have...

Councilmember Kagawa: That is my only question. It is my only question. If your answer is, "No, it does not affect resident's parking," then, I will support it, but if it comes out to be later that the unintended consequences are that we have reduced parking for local residents to use that beach, then I am going to backtrack this Resolution in the future. That is all I am saying.

Councilmember Cowden: Okay.

Council Vice Chair Kuali'i: Councilmember DeCosta.

Councilmember DeCosta: Yes, thank you. So, I live in this *moku*. This is my *moku*. I live in 'Ōma'o. My wife and I go down to Baby Beach. The concern that Councilmember Kagawa has is very valid. We do not create resolutions or bills for a few people on the island. We create them for the betterment of our constituent

base throughout the island. Now, that Baby Beach area, with that one-way traffic—I am going to tell you how it is going to affect parking. When a vacation rental person or residents pull their vehicle out and there is a local resident with a baby in the car wanting to get to the beach, and that car is thirty (30) feet behind, most of them will U-turn to get that spot, because those spots are hard to get. How do I know? Because I live in that *moku* and I go to that beach, so that is how I know the spots are hard to get and sometimes, people park there and wait for a spot to open. We do not have access to all the beaches.

Council Vice Chair Kuali'i: Councilmember DeCosta, we are in questions so you are supposed to be asking her a question.

Councilmember DeCosta: I am asking a question.

Council Vice Chair Kuali'i: I do not hear it.

Councilmember DeCosta: How do you know that this will not affect the parking of local residents? When you did your case study, did you reference all the people who use Baby Beach and ask them if they are okay with the one-way street?

Councilmember Cowden: I did not ask every person who uses Baby Beach.

Councilmember DeCosta: Which people did you ask, the three (3) residents?

Councilmember Cowden: I definitely spoke to the residents. I have gone down there and talked to people. I have gone and looked at where it is busy. This is my answer to your question. My perception of the people who live down there, that use Baby Beach, they are intelligent enough to understand a one-way road and so, if they are going to go look for a parking space and they have children, they are going to be relieved that they can just know already they are going to go right here rather than just sit right here and hope for something. They are going to right here and maybe they cruise slowly and then they find a place, and they just pull over. They are going to have a choice on either side, never going to have to U-turn, and they can carry their baby a little bit further or they can try and risk it and get all the way closer, and if it is not right, well then they come back and they go in again. I think local residents definitely know how to understand a one-way street sign and I think it will be easier for them, and as a mother who had young children, I understand the safety when they do not have two (2) cars competing and pulling off to the side of the road. I am going to be able to have more room to pull my stroller off to the side of the road. I think this will be an improvement for the people that want to be there, especially those with young children or seniors that have a hard time moving. They

are going to have a little bit more room to walk with their walker or be pushed in their wheelchair.

Council Vice Chair Kualif'i: Planning Director, I see you are in the back of the room. Any chance you can address parking? It is not an issue, right? Come forward. I know you are not here for the Department of Public Works.

There being no objections, the rules were suspended.

KA'ĀINA S. HULL, Planning Director: I apologize. Good morning, Councilmembers. Ka'āina Hull, on behalf of the Planning Department. I was doing some emails, waiting for my agenda item to come back. I did not quite hear the question.

Council Vice Chair Kualif'i: Let me just catch you up. So, we have a Resolution from Councilmember Cowden. It is for an area in Po'ipū where it is to make the street a one-way, a small section. The concerns coming up from other Councilmembers are about people from the public who go to this beach and park in this neighborhood. It is just a Resolution on one-way traffic, so a sign might go up that says, "one-way," "enter here," "exit here," but the concern is that, it will change parking. In order to change parking in any of our neighborhoods, it takes what?

Mr. Hull: Well, I will say to prohibit parking on a county standard or county roadway would necessitate action by this body to establish a "No-parking" signage. Councilmember Cowden did seek out information from our office concerning the Resolution and we did point out that there was a scenario of using one-way traffic for this road in the South Kaua'i Community Plan, but we deferred ultimately to the Engineering Division as to whether or not it was necessary for safety purposes or whether or not it could affect traffic patterns. While I can say that you need signage to prohibit parking, I cannot state whether or not the change of traffic flow or patterns could affect parking on this road. I would have to defer to Michael Moule and his shop for this. I apologize for that.

Council Vice Chair Kualif'i: Okay, thank you. Councilmember DeCosta, do you have questions for the Planning Department?

Councilmember DeCosta: Would you suggest that we wait for the engineering study or would you suggest we converse with Michael Moule before we move on this Resolution?

Mr. Hull: I believe Michael Moule did provide comments to this proposal. I do not know them by heart or at the top of my head, but I believe he did make an analysis in which, I may be paraphrasing, but it was

something into the effect of, while it may not be necessary, it could be implemented. Something to that effect, I think, was Mr. Moule's assessment of it.

Councilmember DeCosta: Can I ask another follow-up question?

Council Vice Chair Kuali'i: Well, you can, but he is telling us that he is not the person, so you can maybe get Michael Moule here and we could possibly defer this for...

Councilmember DeCosta: Well, he said something very important to me.

Council Vice Chair Kuali'i: Go ahead.

Councilmember DeCosta: I am the Committee Chair of the Public Works & Veterans Services Committee and when you use the words, "it might not be necessary, but it could help,"... I just wanted to know if you personally spoke to Michael Moule on that "not necessary" comment?

Mr. Hull: I really do not want to speak for Mr. Moule.

Council Vice Chair Kuali'i: Okay, thank you. Thank you. No more questions. Councilmember Cowden, you did not think to get anyone from the Department of Public Works here because you talked to them. You have this whereas that says...

Councilmember Cowden: Yes. It is...

Council Vice Chair Kuali'i: ...and they say they support it, but now that we do have these questions about parking, do you think we could just defer this to later in the day and have Mr. Moule come?

Councilmember Cowden: Okay, we can ask him to come, but I would like to hear from our members of the public.

Council Vice Chair Kuali'i: Yes, we can do that now.

Councilmember Cowden: I want to say that, as it has been asked of me, I went down there multiple times. I think you all know me. I am someone who shows up, and it is common sense to see that it is safety for an ambulance, for a fire truck, any kind of challenge that we would have. This is going to help anyone. It is more than just the parking on the beach, but I think the parking is going to be easier and if we look at a picture, like this one. Well, actually, he is parked in the right direction, right? So, both cars here are parked in the right direction, but there will probably be more room in some ways. I think it is going to be better, so I feel like we are holding

back on a really tiny thing. Of course, I care about the parking and the locals. I would at minimum, like to hear from our public that are here and if the majority of us wants to hear from—maybe we can ask the Department of Public Works or they are probably watching, if they could come over, but I would like to be able to hear from our public before we push this out for later in the day.

Council Vice Chair Kuali'i: Okay, no problem with that. While the rules are still suspended, do we have anyone signed up to testify?

JADE K. FOUNTAIN-TANIGAWA, County Clerk: We have two (2) registered speakers. The first registered speaker is Joe Suave, followed by Steve Schneider.

Council Vice Chair Kuali'i: Right at the middle chair, the main chair, right here.

JOE SUAVE: Use this one?

Council Vice Chair Kuali'i: Yes, and then the light will come on. Green, your time will start. You have three (3) minutes. The yellow light will tell you, you have thirty (30) seconds left, and the red light tells you to finish with your testimony.

Mr. Suave: My name is Joe Suave. My house is down this way.

Councilmember Kagawa: Right there?

Mr. Suave: Right here. I think. Yes.

Councilmember Cowden: Okay, you got a limited amount of time.

Mr. Suave: No, it is on this one. Yes, it is on this one. The beach access is right here. No, it is right here. This is the beach access. I hear a lot of concern on parking. To change the street to a one-way street will not affect the parking. It will not affect the parking, okay? There will be just as much parking now as there...—I mean in the future as there was before. What it will do is help us. There is another item, but this will help us with safety because with this beach access oftentimes there are cars parked along here. My house is right here. Fine. We welcome them. We love the kids. We like seeing them up there and the families that come, but we have to take care of them. We have to be careful because right here where the beach access is, they come up out of here from the beach access and they cannot see. There are steps. It is not a ramp. There are steps. You come out of there. There was a day, my wife and I were on our *lanai*, right here, in the afternoon and a family came. This is a rental. A family came and parked behind the rental, and they were unloading the car and they had about a four-year-old. Not very big,

but fast, and I can hear the dad saying, "Wait a minute. Just wait a minute. Wait till we get the stuff out of the car." Well the kid wanted to go through to the beach. He wanted to get to the beach, so he went in the back door of the house. Forgot where I got the pointer. Anyway, you got the idea. He went in the back door, out the front door, like a shot, in front of my house, down my little driveway, headed to the beach.

Council Vice Chair Kuali'i: Sir, that is your first three (3) minutes. I am going to ask for everyone's understanding, and we are going to give him his second three (3) minutes now, so he does not have to get up and get down. I think there was just one other person signed up and then there may be others after that. You can take the next three (3) minutes and I would not be too distracted with the pointer. You are losing time.

Councilmember Cowden: Let me take it so you do not lose your time for talking.

Mr. Suave: Alright. Anyway, the dad got out of the car, went through the house, and clears the hedge on one go. He did not even break a stride. Grabbed that little "critter" just as he got to the top of the steps and gave him about three (3) on the "popo." The kid thought he was killed. No, he was not killed, but it did get his attention. About less than ten (10) seconds later, a pickup came from the west to east. Now, he wasn't speeding. He was probably doing twenty-five (25) miles per hour (MPH). That is posted at twenty-five (25). A separate issue, but really not exclusive because the speed limit and the one-way—it is posted at twenty-five (25) now so it was legal. The pickup was very high with big rubber 25-MPH. There is no way he could see that kid. There is no way. When we are sitting there—you ever have that experience where you are just helpless, you cannot move? That is where we were. He made it across. The dad caught him, gave him a couple reminders. They went back. All things were easy, but it was five (5) seconds and that truck came down there. He would have run over that kid like a frog, but he did not so I do not think where the mutually exclusive item of 15-MPH. Now, that road, that little stretch of road because there are so many kids and it is so busy. (Inaudible) about it with Lāwa'i Beach when there is a lot of people going across and I understand that and I respect it and I think it is right, but we have to take care of these kids, because if you wait until somebody gets hurt, there is going to be a price to pay. So, please consider a 15-MPH as well as the one-way street, and it will not interfere with the parking. There is just as much parking. The resident neighborhood would be delighted, a lot of them are here. I will end it here. Thank you for your attention. By the way, I got some pictures here. I would appreciate it if you at least pass it around.

Council Vice Chair Kuali'i: Thank you, sir. Can you remain seated?

Mr. Suave: They are more or less redundant with what you already have, but these were taken yesterday.

Council Vice Chair Kualif'i: Remain seated, please. We have a clarifying question for you.

Mr. Suave: Okay.

Council Vice Chair Kualif'i: Councilmember DeCosta.

Councilmember DeCosta: Hi. Thank you, sir, for your explicit testimony. The terminology, "critter," does that mean the little kid?

Councilmember Cowden: Yes.

Mr. Suave: The little kid. I called him a "critter."

Councilmember DeCosta: Oh, okay. I never used that terminology. Okay, thank you. You made a comment to Councilmember Kagawa adamantly that it will not affect parking, the one-way.

Council Vice Chair Kualif'i: Just to clarify, testimony is not comments to anyone. It is to all of us.

Councilmember DeCosta: Where do you get that statistical data that a one-way street does not affect parking? How do you get that data?

Mr. Suave: I get it because I observed it for the last thirty-two (32) years.

Councilmember DeCosta: So you have lived there for thirty-two (32)...

Mr. Suave: Yes, thirty-two (32) years. I have been across the street.

Councilmember DeCosta: Okay, thank you. That is all I want to hear.

Council Vice Chair Kualif'i: Thank you. Thank you, sir. The next person.

Ms. Fountain-Tanigawa: The next registered speaker is Steve Schneider.

STEVE SCHNEIDER: I am Steven Schneider and I just live a couple of doors down from Joe. My main concern is safety for babies, kids, children coming up from the beach, alright? They come up from those stairs and they do not have very much room for that street right there and you have cars coming both ways and it is...my wife and I have put up, "be aware of children signs." Done everything we can

to try to improve the safety of that area and making this a one-way street will improve that by let us say fifty percent (50%) because cars only have to come from one-way, alright, instead of looking both ways and that is my dearest concern. As far as parking, if you take a look at any of those pictures with the parking as it is, both ways it is very jumbled. The person parking the wrong way will not get it as close to the bumper and efficient parking as one pulling in right behind it so parking will increase. I believe it will increase quite a bit because you will have more efficiency in the direction of the parking. Look at that jungle right there. Look at all that space between all those cars and as opposed to, in reference to the locals, everyone of those houses has off-street parking. Every single property on that street has off-street parking so locals should not be concerned unless they have five (5) or six (6) cars and that is not my call, but for me, I am literally right there where that picture is and you can see right there, you will not see a child, alright? They are screaming. They are yelling. They do not want to leave the beach. They want to leave the beach. Whatever. The poor parents trying to corral those children and it just scares the "bejeebies" out of me that it is going to happen sooner or later. In reference to parking, which I understand, it should be more efficient. Just take a drive down there and see which way it is going, especially when there is construction going on. Right now, we have had construction for the last nine (9) months and these big trucks are just parked one way or the other. Just very ad hoc so I think you will improve safety and parking, and you will just make that charming area more charming. Are there any questions?

Council Vice Chair Kuali'i: Thank you, sir. Clarifying questions, members? Thank you, sir.

Mr. Schneider: Thank you.

Council Vice Chair Kuali'i: Do we have anyone else?

Ms. Fountain-Tanigawa: No further registered speakers.

Council Vice Chair Kuali'i: Is there anyone else in the audience wishing to testify? Come up, Mr. Hart. You will be next. Do not worry about signing up.

BRUCE HART: For the record, Bruce Hart. Okay, so this gives me an opportunity. I am not familiar with this street, but from the pictures it gives me an opportunity to speak on a subject that I have been wanting to speak on for quite some time. I have not spoke on it to this Council. There is an Ordinance on our books, Traffic Code 16-10.5 and it takes care of all of this. Those cars, according to 16-10.5 are parked illegally and I have tried...the County has recently revamped the website and I cannot find our traffic ordinances or I would read it to you, but if staff could get it, 16-10.5. It was referred to whenever it was brought before the Council. Former Councilmember JoAnn Yukimura was on the Public Safety

Committee. It was referred to by Police Chief Perry as the “lane of travel” and basically, what the law says is that, envision it, we have a lane traveling North and we have one traveling South. If there is any vehicle parked in a manner where I, traveling North, have to go over into the lane traveling South, that car is parked illegally. That is what it says. Now, I have tried to get KPD to enforce it for years. They asked for the Ordinance and they tell me things like, “well there is not a center line painted down the road so we cannot really tell.” I think this is nonsense. The roads are a certain footage wide and so, halfway is half the width of the road, and I have argued with KPD (inaudible) over this and so you can see, tell by the tone of my voice, I am just frustrated to no end. They simply do not enforce it. They tell me things, “Well, when we take it into court, the judges throw it out.” I would like to know who these judges are because the law is plain as it reads and it was extensively discussed at the time it was introduced and I have reference to the archives. You could watch all of the Council meetings during that time. You could see the discussions by KPD. You can hear it. It is all plain.

Council Vice Chair Kuali'i: Next person from the audience wishing to testify. Please come up. Start by stating your name and you have three (3) minutes. The lights will tell you. The light is already on.

ALEX O'GORMAN: Hi, I am Alex O'Gorman and I live on that street. I am one of the few people that actually live on the street. My husband and I have owned since, about eighteen (18) years and we recently moved permanently for retirement, so we live on the opposite end of the street, on the Westside and we have observed for years, this problem with the danger of the children and we have six (6) grandchildren that come and visit us and recently, they were here and it was a concern. We were constantly watching out for them and anytime I go out on the street, generally, I go the opposite direction that we are trying to go and it is never ever easy. I always have to pull over in someone's driveway or on the side of the road to allow another truck or another car pass me and there is no parking at my end of the street, which is very nice for us, but I know that my neighbors and my good friends have to live with that every single day. So, I mean for us, the biggest concern is safety. We are so concerned that it is not “if,” it is “when” somebody is injured on that road because they travel so quickly, so fast and they do not pay attention to the kids and so, that is all I would like to say.

Council Vice Chair Kuali'i: Thank you very much. Are there any clarifying questions?

Councilmember DeCosta: Yes, clarifying question.

Council Vice Chair Kuali'i: Okay, go ahead.

Councilmember DeCosta: My question is in reference again to speeding on that street.

Ms. O’Gorman: Yes.

Councilmember DeCosta: You have been living there eighteen (18) years. When you see that two-way street coming, right and you pulling out...

Ms. O’Gorman: Yes.

Councilmember DeCosta: ...and there is a car coming, you would slow down for that car?

Ms. O’Gorman: Slow down and stop.

Councilmember DeCosta: Okay.

Ms. O’Gorman: And pull over.

Councilmember DeCosta: Okay, thank you. Now, if there were no car coming and we were on a one-way street and you know you could get out of that area without a car coming, would that—would your speed limit rise?

Ms. O’Gorman: No, not at all.

Councilmember DeCosta: Okay.

Ms. O’Gorman: I mean, it is just safety, you know. It is just common sense that you do not speed up when you can do something that is easier. You are just concerned with people.

Councilmember DeCosta: Thank you.

Council Vice Chair Kuali’i: Thank you, ma’am.

Ms. O’Gorman: Thank you.

Council Vice Chair Kuali’i: Anyone else in the audience wishing to testify? Come forward, Ms. Cummings.

SHERRI CUMMINGS: Sherri Cummings, for the record. I was not here for this, but Bruce just made a comment, and I do not know if it is law or not. If it is law and we are prohibited from parking over there and you folks do make it a one-way and that is the only public access, can you folks put something in writing that will assure the general public that parking would be available to us? He brought

up an excellent point because that is true, my car broke down some years ago. I was right at Hanamā'ulu. By the time I got somebody to actually get my car, I got ticketed and it wasn't more than, I would say half an hour would be the most that my car was sitting there, because my car was just like that. Parked right adjacent to the homeowner and so, that to me is a concern because if that be the case, that access is not going to be anything to us. We have to find another parking area and then, go and access that small little strip right there. So, if it is a law, please find it so that we can park on those sides, right there, because that is not going to assure the general public of anything, as of this point and time. *Mahalo.*

Council Vice Chair Kualī'i: Thank you. Are there any further members of the public wishing to testify? If not, while the rules are still suspended, I would like to call forward Michael Moule, from the Department of Public Works. Michael, you know about this Resolution and the fourth whereas specifically talks about the Engineering Division of the Department of Public Works, basically saying if you are going to do a one-way traffic resolution, that you recommend it going east to west, as it is showing on this map. In our earlier discussion, at least a couple of Councilmembers have raised strong concerns on objections with regards to how this Resolution, which is designating a one-way area, could and would affect parking. Can you tell us anything about that? I do not know if you heard some of the testimony, most of the testimony was about concern for the safety of children, because people from the public park there, go to the beach, and often people driving through there are going too fast. With blind areas, they cannot see the children and it could be dangerous. I do not believe in this Resolution it says anything about designating a speed limit and I do not know if you already know what the speed limit is there, but maybe you could also tell us about parking, but about what it might take to address the speed limit issue as well. Thank you.

MICHAEL MOULE, Chief of Engineering Division: Good morning, Councilmembers. Michael Moule, Chief of Engineering Division, Department of Public Works. With respect to parking, changing it to a one-way should not change anything. I heard earlier testimony about laws restricting parking and restricting part of the paved surfaces of the road. Without digging into the actual code and discussing it with you here, I cannot be certain on that, but I work on these issues regularly and I work with KPD, and my understanding, generally speaking on a road like this where it is not striped with a center line, the law enforceable is one that says you have to leave at least ten (10) feet of travel space from the parked car to the other parked car or the parked car to the edge of the pavement on the other side. If there is a centerline marked, then it is ten (10) feet from the centerline to the parked car. We do not mark a center line on that road because it is fourteen (14) feet and you cannot leave ten (10) feet on either side of it, so going one-way would not change where you can park, you would still let one (1) car through, basically. It would not make it any easier or any harder...well, let me put it this way, it might make it easier to park because there are no cars trying to jockey back and forth. If anything, you

would see more people parking after it is a one-way and not less. Legally, it should not change the ability to park on the road, in my opinion, based on my understanding of the law.

Council Vice Chair Kuali'i: Councilmember Kagawa.

Councilmember Kagawa: Looking at that picture right there, Michael. Knowing that it is a popular venue during daylight hours for locals to use and we have limited beach access for local residents, do we check whether hedges are not growing over the County's right-of-way, to make sure we have maximum availability for...

Mr. Moule: We do not actively go out and check every road to see if there are hedges growing, but if we received a complaint about...

Councilmember Kagawa: No, no, that it is encroaching over the County's right-of-way?

Mr. Moule: We do not actively patrol roads to see if there are hedges growing over the right-of-way that might restrict parking, but if we receive a complaint or we are made aware of that, we absolutely will check that and will send letters to people telling them...

Councilmember Kagawa: Complaint-based. Thank you. You folks are already saying to make sure there is ten (10) feet between two (2) cars parked. I want to know if there is a process that...or if someone puts rock barriers or what have you, there is a way to protect the public for using the beach for their children, the local public. We already lost many beach accesses all over the island because of the transient vacation rental (TVR) folks wanting to "block out" or rich landowners wanting to block out local people from getting to the beach, that is all my concern is. I want to make sure that whatever parking we have now is not going to be compromised by this Resolution, but you said no.

Mr. Moule: In my opinion, no.

Councilmember Kagawa: Thank you.

Council Vice Chair Kuali'i: Councilmember DeCosta.

Councilmember DeCosta: You have been doing the General Plan for the Po'ipū area, am I correct? Did we not receive a whole bunch of federal money for that area to be improved, from the roundabout to the restaurants and Māhā'ulepū and all the way back to Spouting Horn? Did the County receive federal moneys to improve the walkable, bikeable, better access through Po'ipū?

Mr. Moule: We received a grant for the Po'ipū roads safety to (inaudible) project, but it is limited to Po'ipū Road and short segments to connectors. It would not cover this area.

Councilmember DeCosta: Right, but you did a study in the Po'ipū area to see what areas need to be addressed.

Mr. Moule: The only study that would cover this area is the South Kaua'i Community Plan done by the Planning Department several years ago.

Councilmember DeCosta: Okay, and did...

Mr. Moule: And we did study this specific area with respect to requests from the County Council, from you all on the one-way issue, as well as other issues.

Councilmember DeCosta: Did the one-way issue come up?

Mr. Moule: There is something in the South Kaua'i Community Plan that talks about studying this for being one-way.

Councilmember DeCosta: Did we have some information from our beachgoers, so they can chime in and have a say regarding the access area? Did we have that input?

Mr. Moule: I could not answer that question with respect to the South Kaua'i Community Plan, which was done many years ago. With respect to this one-way Resolution, as I think you know this, this was not a resolution proposed by our office, it came from the County Council. We responded to it, we provided some pros and cons to approving it, but it is obviously up to you folks to make the decision. We did not do public outreach specific to reviewing this Resolution, we did not do public outreach beyond some efforts that were done by the residents to get signatures along this street itself. I am not aware of any specific public outreach to the overall community or beachgoers to this area. Again, we did not propose this Resolution, we did not have to do the outreach.

Councilmember DeCosta: When you talk about a one-way street versus a two-way street, with your experience as an engineer, does the speed limit rise when you have a one-way path? For clarification, roundabouts are made to keep the flow of traffic going at a faster pace because there is no stop sign. With the two-way street, you have to look for the oncoming car, and I heard a lot of concerns with safety and kids. Can you give me expert advice between a one-way street versus a two-way street and the speed limit?

Mr. Moule: With respect to speed limit, especially on a street like this, I do not think going from two-way to one-way would change how we would post this street, but given the fact that as a two-way street especially on busier times, how fast you can go is limited by oncoming traffic sometimes. I would expect that going to one-way would overall mean drivers would go faster on this street. We would not change the speed limit, to be clear, but I think it is likely to see some faster driving. The tradeoff there is that you have less interactions between motorists and things that have...faster driving is less safe, physics, more interactions with more cars jockeying back and forth. Arguably there are some potential errors that you make with that, so it is a tradeoff with respect going from one-way to two-way or two-way to one-way, and they both have pros and cons.

Councilmember DeCosta: I am going to give you a scenario, and can you give me a yes or no? If we implement the one-way street and a family is thirty (30) feet up, and just so happens a car pulls out behind them, they no longer can do a U-turn to park, they have to drive around like a racetrack to get that spot. Do you think that family would speed around to get that spot versus if they were able to do a U-turn and park their car?

Mr. Moule: That is a good hypothetical, I will say...

Councilmember DeCosta: Yes, but you are the expert. I am not the expert. We are asking you as a body to implement a resolution, Michael, please, we are asking you to do something that you should have already done and apparently you did not, because of your reasons. I trust you. But here as a governing body, we are telling you what to do. I want to know your expertise; do you think that family would speed up and try to get that open spot and go in a roundabout fashion?

Mr. Moule: It is quite possible that the family might speed up. We did mention a negative with this is that a family will have to drive around. There is going to be more driving distance necessary to use that beach and live in this area. It is a tradeoff, right? There are benefits and negatives, and that is one of the negatives, people driving around even if just looking for parking. I did not mention that in our memorandum, but the parking piece, if someone misses a spot, they could backup, which is dangerous as well, or have to drive all the way around, causing them to speed up, as you suggest.

Councilmember DeCosta: The negative applies to the beachgoer versus the TVR person?

Mr. Moule: The negative applies to everyone, as far as the extra distance travel, but the person living on this street would not consider it a negative because they prefer the benefits of the one-way with less confusion. Anyone who accesses this street, overall if they had gone both ways, theoretically to and from

houses there will be more distance traveled by motor vehicles on this street to get from place to place.

Council Vice Chair Kuali'i: When you said that you would not change the speed limit, do you know what the speed limit is now?

Mr. Moule: We looked it up, it is part of some earlier discussions, and I can pull it up in a matter of moments.

Councilmember Cowden: Twenty-five miles per hour (25-MPH).

Councilmember DeCosta: The picture says twenty-five miles per hour (25-MPH).

Mr. Moule: I think it is twenty-five miles per hour (25-MPH). We talked about evaluating it, though.

Council Vice Chair Kuali'i: We heard testimony about safety for the kids, possibly lowering that speed limit. What would that take? How is that done in other places? Councilmember Cowden had a picture of a sign, and it said twenty-five miles per hour (25-MPH).

Mr. Moule: I think we actually said we are evaluating it and we would continue to do so, if it is a one-way street of possibly changing it to a lower speed. In fact, I will say this, it is contradicting to what I said earlier, but as a two-way street, less than twenty (20) feet, we typically do have it lower than twenty-five miles per hour (25-MPH). In this case, I think we still would lower the speed just because of the activity on this street, depending on what we get from traffic counts. I think twenty-five miles per hour (25-MPH) one-way or two-way is typically higher than we would recommend for a street of this dimension. Especially with the cars parked as much as they park in areas near the beach.

Council Vice Chair Kuali'i: Did you say that it is under evaluation?

Mr. Moule: I am trying to remember what we discussed on this.

Council Vice Chair Kuali'i: If it is not, will you put it on your list as something to evaluate?

Mr. Moule: Yes, we will make sure we evaluate.

Council Vice Chair Kualii: Because we heard the testimony unanimously from all the people living on that street that they would like it to be slower for the kids.

Mr. Moule: My apologies, I do not remember where that is now, but we can certainly add that to our list.

Council Vice Chair Kualii: Councilmember Cowden or someone will follow-up on a different resolution, but this is not relating to this Resolution today. Councilmember Cowden.

Councilmember Cowden: Did you hear the request for fifteen miles per hour (15-MPH)? Whether you heard it or not, he just told you. That was a consistent request here.

Mr. Moule: Okay.

Councilmember Cowden: But I can do that on another resolution.

Mr. Moule: We rarely see fifteen miles per hour (15-MPH) just because that is so slow, even a prudent driver will not drive that slow.

Councilmember Cowden: Twenty (20-MPH)?

Mr. Moule: Twenty miles per hour (20-MPH) is more likely in this situation, but we would not know until we evaluate. We are already doing that, I apologize, I do not remember where that is right now, we are really short staffed, but things are about to change, thank goodness. We will be able to get back on these things soon.

Councilmember Kagawa: Can we add it into the "whereas" of this Resolution and just drop the speed to fifteen miles per hour (15-MPH) now with an amendment? Like I said I use that road a lot now with my grandkids and it is much too narrow and congested to be twenty-five miles per hour (25-MPH).

Mr. Moule: I agree with you on that. Without having looked at the engineering study, I would not...

Council Vice Chair Kualii: Procedurally, we cannot.

Councilmember Kagawa: We cannot change it anyway.

Council Vice Chair Kualii: The Resolution is for one-way traffic.

Mr. Moule: In response to the question, if you wanted to make that change, we can go back and evaluate that, we can table this and maybe include that as well.

Councilmember Kagawa: Yes, we cannot do that today.

Mr. Moule: Yes, you have to table it.

Councilmember Kagawa: It will be a new resolution posted.

Mr. Moule: Okay.

Councilmember DeCosta: Did we ever consider a speed bump in that area? I am hearing child safety...that speed bump, from what I understand, is child safety speed, it slows your car down, you have to, or you are going to damage your car. Have you thought about a speed hump in that area?

Mr. Moule: I believe this road is on our list of roads evaluating for traffic calming, unfortunately that list has been not moving much given our staffing situation, which again is changing. We have new hires coming in soon. That should help some. Yes, I believe it is on the list and if it is not, I will make sure it is.

Councilmember DeCosta: Please do so, because child safety is at our forefront. We need to take care them. Thank you.

Councilmember Carvalho: I wanted to follow-up on the speed humps, because I know there are areas on the island...there is a big plan for that, in general? Especially because you mentioned that it could speed up drivers going around to find parking.

Mr. Moule: It could.

Councilmember Carvalho: With the speed hump, and I know the residents are present, but that would be another part that I would want to really take seriously in this particular discussion, because the access to the beach is there forever, that is how it is. We need to ensure safety, and I think a speed hump will work.

Mr. Moule: We agree. I want to say for the record that the evaluation for traffic calming, given the list we have now, will be a much longer timeframe than a speed limit resolution. It is something that we are not going to leave alone, it is just that it is going to take a while.

Council Vice Chair Kuali'i: When you talk about this list, it is your internal list. Is there a process that a neighborhood could put in a request or a petition...

Mr. Moule: Yes.

Council Vice Chair Kuali'i: Do you have a list of those people with petitions that need to be addressed as well?

Mr. Moule: Two (2) or three (3) years ago, we proposed and this body approved, a change to what was previous a speed hump ordinance, and that is the process. Following that ordinance, we have an internal standard operating procedure on how we run its place, and we are running through it. Somewhere around thirty (30) streets, and I believe this street is on the list, but we need to go through that process, and it is not a quick process because the process includes contacting residents of the area, and then coming to Council with a resolution, and some other steps. It is a good process, but unfortunately it is a time-consuming process and somewhat of a labor-intensive process that is going to take us a long time to get through the list.

Council Vice Chair Kuali'i: At the risk of over simplifying, for today's Resolution, one-way traffic on Ho'ona Road, you support that Resolution?

Mr. Moule: I think it is fine either way, which is what we put in our memorandums to you.

Council Vice Chair Kuali'i: And then in the near future if any councilmember wants to put together a resolution on lowering that speed limit, then you will work with them as well?

Mr. Moule: Absolutely.

Council Vice Chair Kuali'i: Thank you.

Councilmember DeCosta: I did not hear his answer.

Mr. Moule: I think it is reasonable to leave it as a two-way street, I think it is reasonable to make it a one-way street. To me, from an engineering safety point of view it is not critical to make it a one-way street, it is more a decision about visibility for people accessing the street and differences of opinion or preference by residents and others that use the street.

Councilmember DeCosta: Do we have a beach access sign? Are we letting our community know about that beach?

Mr. Moule: I do not believe there are signs.

Councilmember DeCosta: What about that one (1) access point to the beach, would it be smart to have a sign with a blinking light, so the little kid that darted across the road, at least if drivers coming and not familiar with the street, but sees the blinking light and sign, it might make drivers slow down.

Mr. Moule: I do not know if I would recommend a flashing sign because of the challenge of people using that. There could be a guide sign to note where the access is or a warning sign about pedestrian movement in that area, which the warning sign is something that can consider. We do not tend to put up those types of signs on lower speed level volume roads like this. There is a question on precedence because I am not aware of any beach access along roads, that the County has signs like that to the beach access. We would want to think about, "if we do it here, we need to do it for everywhere."

Council Vice Chair Kuali'i: Are there any further questions? No. Thank you Mr. Moule. We had our testimony.

Mr. Hart: You did not call for the second three (3) minutes?

Council Vice Chair Kuali'i: Do you have a second three (3) minutes?

Mr. Hart: Yes.

Council Vice Chair Kuali'i: Come forward.

Councilmember Kagawa: Keep on topic, though.

Council Vice Chair Kuali'i: Yes, please stick specifically to one-way traffic, that is what the Resolution is.

Mr. Hart: I am in support of this if it will help in safety. I do not see any problems with it being one-way. One of the testifiers said something about some of the residents parking along this street having off-street parking. That is a problem all over the island. How are you going to address it? I do not know. There are people who use their carports for living space, they have barbeques, televisions, they have everything in there, and there is no room for their cars, so they must park on the street. How every individual feels about that, I feel like they ought to park their cars in the car port. That is why it is called a carport. They also have driveways and they do not utilize them. Not for parking cars. How do you feel about that? I feel they ought to use the driveway. If guests visit, then they can park out on the street. The safety issue is one that is all over...I know this is not directly on

subject, you are talking about children's safety. We have electric vehicles. These little toys that are electric. Children are all over. They are on the sidewalks, they are on the streets—from my perspective, cul-de-sacs and streets are not playgrounds, and cul-de-sacs are not parking lots. In general, I am in support, and I feel for these people, I understand their concern for safety. When I go down my street and the children are playing, I am doing two (2), three (3), four (4), five miles per hour (5-MPH). I do not want to hit any of those children. Even if it is the parents' fault, I do not want to hit one. Thank you.

Council Vice Chair Kualifi: Is there anyone else in the audience, other than our very first testifier who got his second three (3) minutes as well, have anything additional to testify on? No. Councilmember Kagawa.

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

Councilmember Kagawa: Thank you for coming and sharing your concerns, you live on the street and see the problems. For me, when I see a resolution of this sort that is primarily vacation rentals and then a public beach access, my radar goes up because my observation is that during the weekends and holidays, you probably have ninety percent (90%) local families enjoying that beach. Maybe during a weekday, it would be fifty percent (50%) local and fifty percent (50%) visitors. I know it is really important for local families who enjoy being able to use that beach that you folks live by. Thank you to you folks for allowing them to park on the shoulders, sometimes even being an inconvenience to the residents or vacation renters but it is something that is very important to the families on Kaua'i, enjoying the weekends, holidays, and enjoy that beach, and not have to go to a place like Po'ipū Beach where they may feel there are too much people. Having choices is important for our local families. We lost many struggles with beach access due to the changing buyers on Kaua'i and a lot of times they use the excuse of safety, but ultimately it falls upon them wanting to keep their property more private. I am going to support this Resolution. I am satisfied with the answers that it will not affect parking and I hopefully with the one-way, we will have a safer street for cars and pedestrians with the same amount of parking, and everyone can still enjoy the beach as they have been for many years.

Councilmember Carvalho: I support the effort. There is a total balance that needs to happen here. I like what was said on the floor. There is a plan in place overall, but for this particular area, going one-way and adding the speed humps later, but just the discussion today is important. It resonates to other parts of the island, but this is all about this particular area. I am in total support of it, I look forward to more discussion and seeing what can happen later. *Mahalo* to the families that came today to testify.

Councilmember DeCosta: Great discussion. I am always the person asking the tough questions. I am surprised that the Department of Public Works, the department that I chair, did not investigate this sooner when we did the General Plan three (3) years ago. I support the community outcry as a safety issue. I would like to see the speed limit reduced if we do a one-way, because it is going to increase the race for a family to get that parking spot now, driving all the way around. I apologize to my constituents for listening to me this morning. I will support this, but when I made the comment about losing access for our local residents, I appreciate when you said you like the residents on your street. I have not heard that from many constituents in areas where they are not able to afford a home. Bless your soul that you welcome the kids and the “critters” and the people...maybe make a picnic lunch one day for some of the beachgoers, have a sandwich and get to know your community. That is my community too, I just live on the mountain side of Kōloa. I am going to support this. Thank you to Councilmember Cowden for bringing this to the forefront and let us really look at lowering the speed limit and placing a speed hump, because I believe one-way traffic increases the speed. I know that because of all of our roundabouts. We all rush to drive around the roundabout to go around the roundabout, because there is no reason to stop now. On this street, there will be no reason to stop. The only reason is to get to your residential driveway, get to your TVR driveway, and/or get to that empty parking spot. I am a little bit worried about the speed limit. Bless you folks and thank you.

Councilmember Bulosan: Thank you to Councilmember Cowden for putting this on the agenda. I think it is great. Thank you to all the testifiers who live in that area and shared your concerns, and the expertise from the County who share information. This is a no-brainer. I am excited about it. I, too, frequent it as a community member and as a future father, I would love to take my child there when it is a safer place to park and enjoy. It is one of the few beaches that you feel safe to bring your child to because of that protection area, and one of the most important things about that space is how culturally connected to everything else; Prince Kūhiō Park right down the street there. I think there is a huge opportunity for more collaboration within that residential area and I think the one-way is just part of the movement towards allowing our spaces that have dominated the car experience, a now dominant more walkable, bikeable experience. I feel some of these traffic easing solutions will definitely allow us to enjoy our spaces a lot more. Thank you, Councilmember Cowden, for introducing this Resolution.

Councilmember Cowden: Thank you for coming here. Thank you for the County Administration for helping this to happen. I have been working on this for more than a year. The primary requestor was Julie Souza passionately saying that her father was asking for this decades ago and has since died. She was expressive saying she wants this to happen before she dies, I do not want her to die, but I also do not want to push this out. Present in the galley, though they have not come up to speak are Cultural Preservationists who work on restoring the *wahi pana* across the

street behind Prince Kūhiō Park. They have called me, they have sent me pictures, they have shared this concern, they have asked me to come down and meet with the community, talking about it—this problem impacts them also, because they also have people who come and do work there or attend their events, or use the beach. They want their broader *‘ohana* to have a safe environment. I have called the different vacation rental management companies, I have driven up and down that street, I did a lot of public outreaches, I have talked to people attending the beach, but have not found everyone who has ever attended the beach, that is for sure. I have mentioned that and brought it up to the Kōloa Neighborhood Association with simple approval. This is a chronic problem and older crowded neighborhoods with these narrow roads, we see this everywhere. We had a testifier who talked about that. On Ho’ona Road, these are mostly houses that are vacation rentals, they do not have people living in the carports or having their family community meeting in the carports. There are plenty of offroad parking spaces for them. I see this as a simple safety issue, which is long overdue. I do go to many of those South Shore development plans. This issue happened back then, it has been spoken about, there are a number of streets that have wanted safety. I appreciate...it sounds like I have the support of the Council. I am happy to hear that the Department of Public Works has gotten speed calming elements on their list. I will be very willing and wanting to put in a resolution, if Councilmember DeCosta prefers to do it because he thinks this is his community, I would be in support of it. I am thankful that something that is long overdue will still allow parking, still allow safety, increase safety, and will help all those who use Baby Beach, and to our residents who welcome the people and the children in their community and care very much for their safety even when they are running through their house.

Council Vice Chair Kuali’i: Ditto all that has been shared. I am more than happy to support this Resolution, easy. *Mahalo nui loa* to all the residents who came out to testify and share their personal stories. We did receive a handwritten letter of support from Julie Souza, she says “This is long overdue, I cannot figure out why this has always been turned down in the past.” I am happy to support this today and look forward to whatever further work comes with the speed limit or making sure the road is safe. Roll call.

The motion for adoption of Resolution No. 2024-05 was then put, and carried by the following vote:

FOR ADOPTION:	Bulosan, Carvalho, Cowden, DeCosta, Kagawa, Kuali’i	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapoza	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Six (6) ayes and one (1) excused.

Resolution No. 2024-06 – RESOLUTION URGING THE HAWAII STATE LEGISLATURE AND THE HAWAII DEPARTMENT OF HEALTH TO CREATE SUBSIDIES AND AMENDED RULES FOR CESSPOOL CONVERSIONS AND RELATED BUILDING REQUIREMENTS

Councilmember Kagawa moved for adoption of Resolution No. 2024-06, seconded by Councilmember Carvalho.

Council Vice Chair Kualifi: Councilmember Kagawa.

Councilmember Kagawa: I would like to thank Randall for working on this for me, he did a great job. We have a huge problem with affordable housing. One of the biggest triggers right now is preventing our local families with limited financial resources from adding the additional units to their houses for family or *‘ohana* is the trigger from the Department of Health that stops the affordable housing requests, because of the cesspool that they have. They are mandating that any additional room or building that could add another living person that they determine will trigger the need to change your cesspool into a septic. That conversion can be as high as sixty thousand dollars (\$60,000), not including the inconvenience of finding space in the lot to do the conversion. Sometimes you will have to take down fences, take down driveways in order to add the septic, and then you have to pay for the construction cost of digging up your own cesspool and converting it to a septic. This is a huge burden to only add one room, in cases. In other cases, to let another family live there without having to move to the mainland. This mandate will be in place until 2050. Unless something changes. This is why I felt the need to do this Resolution. I will read some of it. I explained what the problem is and what I am trying to fix with this Resolution. “BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, that it hereby urges the Hawai‘i State Legislature and Hawai‘i Department of Health to evaluate the housing crisis across the State to create meaningful subsidies for landowners converting from cesspools to septic systems while also decoupling residential building permit reviews from the cesspool conversion mandate.” The second part is if you are not going to subsidize the resident or pay for it, State, which is the body that is mandating the conversion, then at least look at putting off that mandate to convert a room and let the room hook up to the cesspool. Because of our affordable housing crisis, something has to give. We have nine thousand (9,000) affordable houses needed on Kaua‘i to fit the need right now. Yearly, we have been building one hundred (100) to two hundred (200). How are we going to catch up to nine thousand (9,000)? Something needs to be amended and this mandate comes from the Federal government, so the department has their hands tied unless they work with the Federal government, but I will remind you, Hawai‘i is the only island state in the nation. We are very different from the mainland United States, where they have a lot of land, where the land is cheap. This mandate is crippling to us. I hope we can get the support today. I urge Councilmembers to talk to your friends at the legislature and try to get support for some change immediately,

because the affordable housing crisis is getting worse and worse. We are seeing more families struggling to live here on Kaua'i, paying rent, huge amounts of rent that they cannot afford, and moving to the mainland. We have to take drastic measures to fix this problem, and this is a huge step that can help, where you have available houses, family members that can house families that are just trying to save up for their dream house. To me, this is the only way that we can make a big step in the affordable housing crisis for our local residents.

Council Vice Chair Kualii: Are there any questions?

Councilmember Cowden: Thank you, Councilmember Kagawa, for proposing this. Are there existing legislative bills in this session that is going to support this that you are aware of?

Councilmember Kagawa: I am not.

Councilmember Cowden: You are not aware of any?

Councilmember Kagawa: I am not aware of any bills that ties into this. My conversations at the legislature this year, a lot of my talk about this conversion was that it is a federal mandate that the Department of Health is following, but we need to identify ourselves that Hawai'i is so different from the mainland United States. We are so different. Especially with the land availability in Hawai'i and it is so expensive, we are so different that it is not fair for the Federal government to treat us the same as the mainland United States.

Councilmember Cowden: Are we aware that if in the federal mandate, that it is tying it to the building permits, is it something that we can change at the State?

Councilmember Kagawa: Well, hopefully we can get this Resolution passed, we can get support from the State, and we can work with our...

Councilmember Cowden: Because we are going there next week.

Councilmember Kagawa: Yes, exactly.

Councilmember Cowden: I am happy to...that is why I am asking these questions.

Councilmember Kagawa: Yes.

Councilmember Cowden: You mentioned your strong staff member Randall, I can work with him to ask a few of those questions to find that out.

Councilmember Kagawa: Alright, thank you.

Council Vice Chair Kualii: Are there further questions? The last part of the Be It Resolved statement where it says, “decoupling residential building permit reviews from the cesspool conversion mandate,” in layman’s terms am I understanding this correct to be if someone wants to put an Additional Dwelling Unit (ADU) or enclose the garage and have an additional unit, they can rent out affordably, and they currently have a cesspool, the ADU permit is denied, and you are saying remove that?

Councilmember Kagawa: Yes.

Council Vice Chair Kualii: That would take a State law change or could it also be a County law change?

Councilmember Kagawa: The State Department of Health would have to determine that they are confident that they can hold off until a 10-year period, give something to the counties that we can try to attack our affordable housing. Not to say that this federal mandate is not valid and critical, but our affordable housing crisis is also critical, so maybe put it off until 2030 and let us connect to cesspools until 2030, and maybe start it then, but at least we can take care of the problem for the next seven (7) years or so. Just keeping the Resolution flexible to not only funding, because I do not know how much the state will...because now with Maui’s problems, I do not know how much they will be able to help subsidize on the money portion, but maybe they can help on the other end in trying to work with the federal government to get some waiver of some sort. But it would have to come from them because how the chain of command works, the county works with the state and then the state works with the federal government.

Councilmember Cowden: The way I interrupted this is that you are not denying that we have septic contamination problem in our waterways or in our ocean or even that is less important, but when I look at the “Be It Resolved” paragraph, you are basically increasing the carrot and reducing the stick to make the change, trying to bring more funding in, so you still would like it to happen, but to take away the restraint, because these adult family members might be living on the couch or in the garage, that is still the same number of flushes.

Council Vice Chair Kualii: Yes.

Councilmember Cowden: So, you are saying, you can put a nice door on the garage, so they have a little bit better environment.

Councilmember Kagawa: Yes.

Councilmember Cowden: I hear you and I understand that you are not saying that we do not care about contamination. You are saying you are higher prioritizing the legitimacy of having families either staying on the island or being able to have a little bit more dignified way to live.

Councilmember Kagawa: Correct. What I am saying is the state can be really detailed about it, use engineering, and find out which cesspools are functioning fine. There are some cesspools that need to be pumped all the time, which means that they are not working. Maybe those should be continued to be mandated to change to septic, but those that have been functioning that have not been pumped for their lifetime, be exempted. It is just changing the cesspool, right, like what Mel said, Cesspool, septic tank, it just creates a wider base for everything to leach out, from vertical to horizontal. That is all the difference is between the cesspool and septic.

Council Vice Chair Kualii'i: Is there anyone in the audience wishing to testify on this Resolution?

There being no objections, the rules were suspended.

Mr. Hart: For the record, Bruce Hart. I would like to thank Councilmember Kagawa for putting this forward. It is long overdue, and I think it was prompted by the discussion we had on this issue just a couple weeks back. I believe as Councilmember Kagawa does that there is a way to work this out. There is a way to work with the State in order to provide some type of criteria in order to show that this particular house could add one more bedroom and it would not affect the efficiency of their cesspool. It would still function as it is supposed to. It is going to take more in the field work by the Department of Health, that is something that they need to decide, but I agree with Councilmember Kagawa to work with our legislators. It appears to me that at the federal level...I was happy that Congress person Jill Tokuda was having an outreach at the Lihu'e Public Library some weeks back and I got to speak with her. Very wonderful conversation. Maybe someone should reach out to Jill because she would be the one to go to. We have senators. Even if that is not their committee, they can reach out to whatever committee in the senate they would need to speak to in order to get a limited exemption for Hawai'i. Thank you.

Council Vice Chair Kualii'i: Is there any further testimony?

Ms. Cummings: Sherri Cummings, for the record. I am not here to testify about this item, but Councilmember Kagawa brought up an interesting point. I am in support of what you are trying to do, Councilmember Kagawa, because that is our biggest prohibition. For us as *kanaka* or just anyone, in general, one of the biggest things that we need to come up with is this upfront cost for septic, so that is a big thing. Before days when I was putting in mine, it was thirty thousand

dollars (\$30,000) at that time. I wanted to bring up a point that you mentioned, regarding state and the question of having the ability and I going say that they do. Right now, what is floating in the legislature is something that “the who” and also the Food and Drug Administration (FDA) said about *kava* because they said no greenlight, and I am wrapping it into this, because what our state wants to do is push to industrialize *kava* on State lands. The federal government said no because there was some serious medical impact. They talked about all the reasons why. We know what *kava* is to our culture. The Department of Health said okay. That is a possibility. It is on Civil Beat, I just read it before it came up and the Department of Health did give the greenlight for the people to use that opportunity despite what the “who said” and despite what the FDA say. They gave the greenlight to industrialize *kava*. They put some rules in there, eighteen (18) cannot, etcetera, to talk about the effects that *kava* can do upon people. They came up with a workable situation, so I just wanted to share that it is a “can do” approach. *Mahalo*.

Council Vice Chair Kuali'i: For clarification, you are supporting this Resolution?

Ms. Cummings: I am.

Council Vice Chair Kuali'i: Thank you.

Ms. Cummings: Yes.

Council Vice Chair Kuali'i: Okay. Is there anyone else wishing to testify?

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

Councilmember DeCosta: Thank you Councilmember Kagawa. I believe you, me, and the rest of this Council had a discussion with the Department of Health no more than two (2) months ago. I made it clear for the record, I asked the Department of Health if a home had a cesspool and they would like to put a bedroom on for their son or daughter returning home from college, are they able to, and they responded, “No.” I asked them if their son or daughter returned home from college and they need a room for office space or a pool table, ping-pong room, are they able to do that to their home if they have a cesspool, and they said, “Oh, we are not saying you cannot put a livable office space room, we are saying you cannot have a bedroom.” I said publicly, “Beat the system and build your room on your house and do not be held to government restrictions.” I am going to ask Councilmember Bulosan to hold up his cup. Do you see the cup? I am a construction-based analogy person, I teach construction. A cesspool is a large cup, where your water and feces go into. It percolates down into the environment and the feces that do not break down stay in your cesspool. A septic is the same cup. Your feces and your water go into the septic,

the water goes out into what is called a leach field bed and whatever feces breaks down goes out into that leach field bed. The rest of the feces stay in that cup. There is no difference to the environment. Why am I getting passionate? I am getting so passionate because we toss those words around every time—the environment. We build electrical cars with lithium batteries from states that we are contaminating their water and their wildlife that is being negatively affected, but because it sounded so good, we all jumped on the bandwagon. Environmentally, where is this family going to go in 2050 when the *kūpuna* have that house that cannot afford the septic system. The cesspool and septic were twenty-five thousand dollars (\$25,000), because this conversion process is in place, construction-based has increased the value by twenty thousand dollars (\$20,000) to thirty thousand dollars (\$30,000). If you have a new septic put in, it is automatically forty thousand dollars (\$40,000) to fifty thousand dollars (\$50,000). Without rock busting now. If you go to Kōloa and you have to rock bust, you are talking ninety thousand dollars (\$90,000). Where are our people going to live? Two (2) years ago, Councilmember Carvalho and myself and the rest of the councilmembers who were on the Council, with former Councilmembers Evslin, Chock, and Kaneshiro, we had money that we moved. We had funding. One million dollars (\$1,000,000) per year that only Kauaʻi wanted to use, and we have not even used that yet, and I am in my second term. I know a family who lives in Kalāheo who works across the street, she has to pump her cesspool, because it is not working. That is the cesspool that Councilmember Kagawa is talking about that they need the help. She has a family there, she has rental families in there, they need the money from the federal government to covert that cesspool into septic, and we need to help them. If their cesspool is working perfectly, why do we condemn them? Why? I am going to support this. I have always supported it. This was my conversation...it is a no-brainer. The legislators at the next level better wake up and smell the coffee, because we are not putting our people out in 2050. What are they going to do? Are they going to tell our people “You no longer can live there? We are going to shut the house down.” I am finished.

Council Vice Chair Kualīʻi:

Councilmember Bulosan.

Councilmember Bulosan: *Mahalo* Councilmember Kagawa for putting this on the agenda and working through this dire situation. We definitely need to support our legislators that are working towards that solution. I know last year Representative Nakamura was looking to introduce funds and increase funds in the cesspool pilot program and I think she is introducing it again this year in House Bill (HB) 1893, but that is just the first part of it. The state has to put the funds towards it and making it a requirement on the community to abide to this rule. It is hard to make a rule and then not help them follow the rules. The second part of the Resolution is very true, the part about looking at how we can remove the restrictions so that people can build housing. It is a real problem for a lot of local families, who have kids coming back home or they have grandparents that need a different situation where you cannot fit twelve (12) people in one (1) small house, you need a

separate location. But in order to build that area, you have a cesspool and you do not have seventy-five thousand dollars (\$75,000), it is just breaking up families. I think this is very important to send, I am in full support, and I am looking forward to our state legislation working on these issues with us.

Council Vice Chair Kualī'i: Councilmember Cowden.

Councilmember Cowden: Again, thank you Councilmember Kagawa for introducing it. I feel like there is a lot of valuable sharing that is happening here. I want to honor and support the important work of the Kaua'i Surfrider Foundation and their effort identifying biological toxins in our oceans. They say that those are increasing. I will own that it causes me to be reluctant to get into the shoreline waters, especially on a receding tide. I know in places where you have many cesspools that are near the shoreline, it is basically flushing when it is going out. I am not saying we do not have a problem, but an even bigger problem that we have is not having the workforce, the generational knowledge to be able to take care of our island and we need to retain that working population, and our next generation, our children that are growing up, the people who can afford, which are newer to the community and can, might be a little bit more economically independent and they are not doing all the heavy work that the rest of us need. I want to say on the priorities, we need to be able to build more units and I agree with what was said, if there is a cesspool that needs pumping...in requirements...and there is a septic system near my house, three (3) doors down that I have to listen to get pumped about twice per month, it wakes me up, it is so loud, and I smell it. Septic systems have their own problems. Functioning systems, finding a way to adapt to this, so that we can continue to be able to keep our housing, especially multiple generational housing or being able to own, offer something for needy people, I am going to support this Resolution.

Councilmember Carvalho: I am in support of this Resolution, Councilmember Kagawa. The bottom line is the resources and the funding, and reaching out to the federal government, state, and counties, but more importantly at the federal level, because that is where it is at. I understand. We need to work hard and get those resources back home, because in the meantime it is going to affect our people. That is the big part for us and we are going to D.C. very shortly and we need to stand strong. I know Representative Nakamura is working at the State level and we are on that discussion as well, but at the end of the day, it is about getting it done and getting the resources solid before we can even move forward. To me, that is where I am at. Doing whatever we can to secure the resources and bring it back home, so that we can reach out to our community in this particular discussion, which is very important. I look forward to that.

Councilmember Kagawa: I just talked to a contractor friend of mine and he just was blown away with the current rates of the cost of putting up a house. A basic one thousand two hundred (1,200) square foot house right now is eight hundred

thousand dollars (\$800,000), which includes the material and labor. That amount is not counting the land. A basic, not fancy house. The land is probably five hundred thousand dollars (\$500,000). What does that equal?

Councilmember Cowden: One million three hundred thousand dollars (\$1,300,000).

Councilmember Kagawa: For a basic house. These families need at least twenty percent (20%) of the down payment. What does that mean? Three hundred thousand dollars (\$300,000). Without being able to do these affordable housing solutions, such as these are no-brainer, your family has property, put up a house so you can save money. No one can come up with three hundred thousand dollars (\$300,000), no regular person, no regular family, no middle-class can get three hundred thousand dollars (\$300,000) cash. We have to support every and any way that we can help local families to remain and raise their families here. I am in my tenth (10th) year being on Council and I get disenfranchised with the rules of the United States as they apply to Hawai'i. You know that we are an island state, we are far different from the rest, yet you have these mandates that even if you are totally different from rest of the mainland United States, same rule applies. Clean Water Act, Surfrider, I do not care about them, what I care about is being reasonable and fair treatment. If they are going to mandate that like that on us, then make us pay less taxes. You are hurting us and you are not hurting the rest of the forty-nine (49) states, the way you are hurting us. Give Hawai'i more subsidy so that we can have more sewer systems throughout our island or the islands. There needs to be some recognition from the federal government that we here in Hawai'i are struggling. We have to pay the same amount of taxes as the mainland United States, but you folks have harsher laws that apply to you and not to us. I am really frustrated that it is the way it is for the people of Hawai'i. Back when I was younger, the land was not too expensive, construction cost was not expensive, we could afford to buy and put up a house, and raise a family, but now, no way. Our kids are not making more than we did and the cost of their house exploded to where we talk about this weekly, even nightly. My kids ask me, "What are we going to do"? I do not know what to respond, because I do not know what the government is doing for us. I am tired of it. This is a small step. It really needs to be pushed, heard, and some action needs to be taken immediately for the people of Kaua'i.

Council Vice Chair Kualii: *Mahalo nui loa* Councilmember Kagawa for this Resolution. Affordable housing is an absolute priority for me, so I am more than happy to support this Resolution and work in with the State and the Department of Health. Clerk, can you please call the roll?

The motion for adoption of Resolution No. 2024-06 was then put, and carried by the following vote:

FOR ADOPTION:	Bulosan, Carvalho, Cowden, DeCosta, Kagawa, Kualii	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapoza	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Six (6) ayes and one (1) excused.

There being no objections, the Council recessed at 10:46 a.m., for a caption break.

The meeting reconvened at 10:56 a.m., and proceeded as follows:

Council Vice Chair Kualii: Back to order. Clerk, could you read the next item.

Resolution No. 2024-07 – RESOLUTION SUPPORTING THE APPROVAL OF THE KA LEI MOMI KAPA'A AFFORDABLE HOUSING PROJECT PURSUANT TO THE THIRD PROCLAMATION RELATING TO AFFORDABLE HOUSING ISSUED BY THE GOVERNOR OF THE STATE OF HAWAII

Councilmember Kagawa moved for adoption of Resolution No. 2024-07, seconded by Councilmember Carvalho.

Council Vice Chair Kualii: Okay, members. This Resolution was put forward by Chair Rapoza in response to...we just had our full briefing last time, I think in our Committee Meeting and then, this is timely, so we need to pass this Resolution today and we—after the discussion and all of our questions being answered, we were in full support of supporting this affordable housing project there in Kapa'a. Does anyone have questions? I do not know who we would ask them to.

Councilmember Cowden: Him.

Council Vice Chair Kualii: Wait, if anyone for him.

Councilmember Cowden: I only just have a couple comments. They are not really questions.

Council Vice Chair Kualii: Okay, so while the rules are still suspended, has anyone signed up to testify? Anyone in the audience wishing to testify? Yep, the final resolution on the Ka Lei Momi Kapa'a Affordable Housing, which is the

renovation basically of the existing State Affordable Housing Project near the roundabout area in Kapa‘a.

There being no objections, the rules were suspended.

Mr. Hart For the record, Bruce Hart. I am in support of the Housing Project, but I respectfully am not in support of how the Governor bypassed the legislature in order to execute an Executive Order. I do not think it is proper. Thank you.

Council Vice Chair Kualii: Anyone else in the public wishing to testify,
no?

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

Council Vice Chair Kualii: Councilmember Cowden.

Councilmember Cowden: I appreciate the Governor doing an emergency proclamation on housing because in my view, it is an absolute emergency that we have. I do respect where Maui and different places have said, "hey, we've got to be careful. Maybe not everything should just be open." But I am so happy with our builder and potential developer that is right here behind this. We are taking what is already "affordable housing" and we are moving from what is effectively, I think right now about twenty-six (26) units—I know it was thirty-four (34), but not all filled and doing thirteen (13), three-story buildings and as we mentioned last time, so much conscious care, built out of years of experience in many different places of how to create housing where people are going to be more successful. Two (2) bathrooms for the units with two bedrooms. So many different details. We went through that last time, and I am very enthusiastically supportive of it and I hope we can do more of it.

Council Vice Chair Kualifi: Thank you. Other Councilmembers?
Councilmember Kagawa.

Councilmember Kagawa: Thank you, I am one hundred percent (100%) in support. Appreciate them stepping forward, fixing the old, dilapidated complex and just increasing it to be able to serve so many more residents for our island. Totally happy about that. It is going to take many more success stories like that, you know, Hawaiian Homes, some moving in that... I think in every avenue, we just have to utilize every source because we are nine thousand (9,000) short and it is going to take a whole lot of work going forward in order to help the people of Kaua'i because if not, this crisis will only get worse. So, thank you. Thank you for you folks stepping up and serving the island of Kaua'i. I really, really appreciate on behalf of our people that really need it. Thank you, Chair.

Council Vice Chair Kualii: Thank you. Councilmember Carvalho.

Councilmember Carvalho: Living right in that area, I am totally supportive. I think we are on the move in the right direction. Hawaiian Homes, as well and all of it just ties into the importance of that location and I really like the layout and the opportunities there and having the current residents be able to move on—have a choice, but be able to come back. That is the big one. And then, supporting the adjoining areas, there is a park there, that is all these different resources that can all tie into this new development, which is going to open the doors for more. Look forward to more of this ASAP, but at the same time, I am totally supportive as we stated and I really want to *mahalo* you folks for stepping to the plate and bringing it to the forefront, especially right there, in the heart of Kapa‘a.

Council Vice Chair Kualii: Councilmember DeCosta.

Councilmember DeCosta: Very impressive affordable housing project. Thank you.

Council Vice Chair Kualii: Councilmember Bulosan.

Councilmember Bulosan: It is fantastic. Thank you, folks, so much for presenting it and going out of your way to, even though you could have bypassed that process, still provide an opportunity for the community and that is why I love this process and it is really great to hear and meet private developers that are willing to connect with the community first and do it right first. Sometimes, we experience the other experiences, and this is the way to do it. I hope there are more projects like this coming sooner than later.

Council Vice Chair Kualii: Thank you. Yes, *mahalo nui loa* to everyone for making this move forward. It is long overdue and it is a beautiful rebuild project using an open, garden concept. We saw the pictures and the maps, and stuff last time. I think it will be a huge benefit for all those folks waiting for “affording housing,” especially at the lowest levels of eighty percent (80%) AMI and lower. And then, I think this would be a great model to replicate in other places on the island. So very, very happy to support this. Clerk, can you please call the roll?

The motion for adoption of Resolution No. 2024-07 was then put, and carried by the following vote:

FOR ADOPTION:	Bulosan, Carvalho, Cowden, DeCosta,	
	Kagawa, Kualii	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapoza	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Six (6) ayes and one (1) excused.

Council Vice Chair Kualii: Motion carries.

BILL FOR SECOND READING:

Bill No. 2911 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2023-891, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2023 THROUGH JUNE 30, 2024, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND (*Fire Engine #5, Kalāheo Replacement - \$1,000,000.00*)

Councilmember Kagawa moved to approve Bill No. 2911 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Carvalho.

Councilmember Chair Kualii: Are there any questions? We talked about in Committee and ready support it, I believe so, any final discussion? Councilmember DeCosta.

Councilmember DeCosta: I just wanted to point out Michael Gibson and his team, Roger Mills, Jayson Pablo, Bryan Doo—all those folks who do the forefront planning of our emergency equipment. I spend a lot of time with these folks and again, I say our Fire Department and Police Department are like an NFL Team. We do not just recruit new recruits to add diversity and numbers to the crew to keep us safe, but we also take care of our equipment and they have done an excellent job to make sure our equipment is ready to go on any type of emergency situation. So, big, big shout out to those folks. Thank you.

Councilmember Chair Kualii: Other Councilmembers?

Councilmember Kagawa: Yes, I agree. I do not actually go to watch them wash their fire truck, but I see them regularly washing it, keeping it clean, checking in the engine. The firemen have taken it upon themselves to really treat that vehicle with care during their times off while they are at work so I appreciate that and hope that continues. As you know, this is a huge investment, right? If we bought a one-hundred-thousand-dollar car then we would be polishing and checking everything. Wiping the inside of the engine and all, right? Continued care for our equipment I think goes a long way to let our taxpayers know that we value our job. We value our equipment and I hope that continues. Thank you, Chair.

Councilmember Chair Kualii: Thank you. Councilmember Cowden.

Councilmember Cowden: Well, while we are acknowledging the individuals in our Fire Department, I am going to also acknowledge Nohili Vierra

because he does the ordering of the equipment and he is the one who goes and helps put things together and so, one of the reasons they are so expensive, other than the radical inflation that our whole country is experiencing and the timeline is the uniqueness, and so, what we talked about last time: high wheel base; short wheel base; and you know, built for the mountains of Kalāheo. Then the seven hundred fifty (750) gallon tank. He does a good job and if you ever have the chance to talk story with him, he is quite interesting because he is a “geek” for this stuff, you know. He is got all the little nuanced ideas down so, appreciate him and the whole Kauaʻi Fire Department Team as well as the Kauaʻi Emergency Management Agency and the first responders.

Councilmember Chair Kualīʻi: Is there further discussion? Okay, clerk, please call the roll.

There being no one present to provide testimony, the meeting proceeded as follows:

The motion to approve Bill No. 2911 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 ADOPTION:	Bulosan, Carvalho, Cowden, DeCosta, Kagawa, Kualīʻi	TOTAL – 6,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Rapozo	TOTAL – 1,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Six (6) ayes and one (1) excused.

Councilmember Kualīʻi: Okay, this concludes our Council Meeting for today. Thank you, everyone. This meeting is adjourned.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 11:09 a.m.

Respectfully submitted,



JADE K. FOUNTAIN-TANIGAWA
County Clerk

:slr