

COUNTY OF MAUI  
**EMERGENCY MANAGEMENT AGENCY**

200 South High Street  
Wailuku, HI 96793  
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**Alan Arakawa**  
Mayor

**Herman Andaya**  
Administrator

Mr. Sananda Baz *SB*  
Budget Director, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

Honorable Alan M. Arakawa  
Mayor, County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Alan Arakawa* 4/20/18  
Mayor Date

RECEIVED  
2018 APR 21 PM 12: 51  
OFFICE OF THE  
COUNTY COUNCIL

For Transmittal to:

Honorable Riki Hokama  
Chair, Budget and Finance Committee  
Maui County Council  
200 South High Street  
Wailuku, Hawaii 96793

Dear Chair Hokama:

**SUBJECT: REQUESTS/QUESTIONS FROM THE APRIL 11, 2018 MEETING  
(EMA-1)(BF-1)**

This is in response to your letter dated April 12, 2018 regarding the above referenced subject. Our Agency's response to your questions are as follows:

- 1. As is relates to CD-0001, Emergency Management Officer (index code 912014A, page 4-3 of the Budget Details), provide a comprehensive list of position titles and salaries for comparable positions across the State, and from similar jurisdictions nationwide. (MW/RH)**

I was advised that I can only provide salary ranges for positions comparable to the aforementioned position. The following table displays the position titles and salary ranges of emergency management administrators in the State of Hawaii:

Jurisdiction	Position Title	Salary Range
City and County of Honolulu	Director of Emergency Management	\$104,232 - \$173,508
County of Hawai'i	Civil Defense Administrator	\$74,724 - \$137,652
County of Kauai	Emergency Management Administrator	\$80,172 - \$118,908
County of Maui	Emergency Management Administrator	\$80,172 - \$118,908
State of Hawaii	Administrator, Hawai'i Emergency Management Agency	N/A

With respect to comparable positions from similar jurisdictions nationwide, we searched for jurisdictions that were similar in population size, agency size, functions and threat vulnerabilities. The following table displays our findings:

Jurisdiction	Position Title	Salary Range
City of Costa Mesa	Emergency Services Administrator	\$87,852 - \$117,732
City of Santa Monica	Emergency Services Administrator	\$101,112 - \$124,836
Kitsap County, WA	Director of Emergency Management	\$97,427 - \$134,284

**2. As it relates to the three Civil Defense District Coordinator positions**

**a. How long have these positions been vacant?**

The positions have been vacant for the last 1.75 years.

**b. Provide a timeline for establishing position descriptions and filling the positions.**

We are currently in the process of creating plans specifically for the areas of Moloka'i, Lana'i and Hana. In consideration of the needs and logistics of the community, a position description will be written and will need to be approved by the Department of Personnel

Services. Once we obtain approval, we would then have to go through the recruitment and selection process. We estimate about 4-5 months to complete this process.

**3. Provide a breakdown of costs included in professional services (index code 912014B, sub-object 6132, page 4-5 of the Budget Details).**

To date, the expenses incurred this fiscal year in which sub-object 6132 was utilized included the following:

**Tetra Tech Inc. (\$41,000)** – This was a partial payment as provided by a contract with Tetra Tech, Inc. to draft an Emergency Operations Plan, Basic Plan with annexes that are both hazard and function specific.

**Everbridge, Inc. (\$40,304)** – This was a yearly payment for the County's Emergency Alert System (Maka'ala). The system sends out alerts to those who sign up for the service in the form of a voicemail, email and/or text messages.

**Asset Panda, LLC (\$2,800)** – Payment was made for software designed specifically for emergency management agencies to assist in tracking asset (resources, equipment and personnel) in response to an emergency.

The total amount for this subject object code is \$84,104 of which \$41,000 was credited (using encumbered funds from FY 2017). As such, the remaining balance for this sub-object code is \$43,104.

**4. Explain the increase in cost for telephone services from FY 2017 to FY 2018 adopted and a breakdown of the costs. (YS)**

In FY 2017, the actual expenses for telephone services was \$19,900. Of that amount we sought and obtained an Emergency Management Performance Grant reimbursement of \$18,241. It is due to the EMPG reimbursement that the cost of the telephone service for FY 2017, as presented in our budget, is \$1,659.

**5. Provide the amount expended in FY 2018 to date for repairs and maintenance supplies and the type of supplies purchased (index code 912014B, sub-object 6031, page 4-5 of the Budget Details). (EC)**

As of the above date, no expenses have been charged to this sub-object code in the current fiscal year.

**6. What is the authority of the Mayor in an emergency under Chapter 127A, Hawai'i Revised Statutes? (RH)**

I refer you to "Exhibit 1" which contains Hawaii Revised Statutes §127A, in relevant part, provisions relating to the Mayor's authority in the event of an emergency.

Chair Riki Hokama

13 April 2018

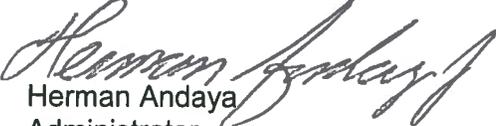
Page 4 of 4

**7. Provide a breakdown of the percentage of funds retained by the State of Hawai'i for the State Homeland Security Grant and the Emergency Management Performance Grant. (RH)**

With respect to the State Homeland Security Grant, I refer you to "Exhibit 2" which lists the distribution to the counties and the State. With respect to the Emergency Management Grant, I refer you to "Exhibit 3" which lists the distribution to the counties and the State.

Should you have any further questions or require clarification, please contact me at [\(808\) 270-7285](tel:8082707285). Thank you for the opportunity to provide comments on this matter.

Respectfully,

  
Herman Andaya  
Administrator

**“Exhibit 1”**

**Hawaii Revised Statutes §127A**

**Provisions relating to the Mayor’s Authority in Times of Emergencies**

**[§127A-11] Powers on whom conferred; delegation of powers.** (a) Except as otherwise expressly provided, all of the powers conferred by this chapter are conferred on the governor or mayor, as applicable. The governor or mayor may delegate any of these powers to governmental, private-sector, and nonprofit agencies and organizations, officials, officers, employees, and other individuals created, appointed, or employed under, or engaged in carrying out this chapter; provided that the following powers shall be retained by the governor or mayor, as applicable:

(1) Proclaiming a state of emergency or local state of emergency, proclaiming a state of emergency or local state of emergency terminated, or making any other proclamation provided for by this chapter;

(2) Prescribing rules having the force and effect of law; and

(3) Making allotments of funds appropriated or available for the purposes of this chapter.

Unless otherwise directed by the governor or mayor, all of the powers pertaining to emergency management authorized to be delegated by the governor or mayor shall be deemed to have been delegated by the governor to the director of Hawaii emergency management and by the mayor to the administrator or director of the county emergency management agency, as applicable, and the administrator or director of the county emergency management agency, respectively, shall have the authority to further delegate any of these powers to any agency or person to whom the governor or mayor could have directly delegated such powers.

(b) The powers conferred upon the governor or mayor by this chapter are in addition to any other powers or authority conferred upon the governor or mayor by the laws of the United States and of the State or county for the same or a like purpose, and shall not be construed as abrogating, limiting, or modifying any such powers or authority. [L 2014, c 111, pt of §2]

**§127A-12 Emergency management powers, in general.** (a) The governor or mayor, as applicable, may exercise the following powers pertaining to emergency management:

...

(c) The mayor may exercise the following powers pertaining to emergency management:

(1) Lease, lend, or otherwise furnish, on terms and conditions as the mayor may consider necessary to promote the public welfare and protect the interest of the county, any real or personal property of the county government, to the governor of the State, to the mayors of the other counties of the State, or to the agency;

(2) Sponsor and develop mutual aid plans and agreements for emergency management between one or more counties, and other governmental, private-sector, or nonprofit organizations, for the furnishing or exchange of food, clothing, medicine, and other materials; engineering services; emergency housing; police services; health, medical, and related services; firefighting, rescue, transportation, and construction services and facilities; personnel necessary to provide or conduct these services; and other materials, facilities, personnel, and services as may be needed. The mutual aid plans and agreements may be made with or without provisions for reimbursement of costs and expenses, and on terms and conditions as are deemed necessary;

(3) Take possession of, use, manage, control, and reallocate any public property of the county, real or personal, required by the mayor for the purposes of this chapter, including parks, playgrounds, and other public buildings. Whenever the property is so taken, the mayor may make such provision for the temporary accommodation of the government service affected as the mayor may deem advisable;

(4) Utilize all services, materials, and facilities of nongovernmental agencies, relief organizations, community associations, and other private-sector and nonprofit organizations that may be made available;

(5) Receive, expend, or use contributions or grants, which shall be deemed to be trust funds, in money, property, or services, or loans of property, or special contributions or grants in money, property, or services, or loans of property, for special purposes provided for by this chapter; establish funds in the treasury for the deposit and expenditure of the moneys; and procure federal aid as may be available. The contributions or grants are appropriated for the purposes of this chapter, or for the special purposes;

(6) Purchase, make, produce, construct, rent, lease, or procure by condemnation or otherwise, transport, store, install, maintain, and insure, repair, renovate, restore, replace or reconstruct, and distribute, furnish or otherwise dispose of, with or without charges, materials and facilities for emergency management; and to procure federal aid therefor whenever feasible. Chapter 103D and sections 103-50, 103-53, 103-55, 105-1 to 105-10, and 464-4 shall not apply to any emergency management functions of and to the extent that the mayor finds that the provisions, in whole or in part, impede or tend to impede the expeditious discharge of the functions, or that compliance therewith is impracticable due to existing conditions;

(7) Provide for the appointment, employment, training, equipping, and maintaining, with compensation, or on a volunteer basis without compensation and without regard to chapters 76, 78, and 88, of such agencies, officers, and other persons as the mayor deems necessary to carry out this chapter; to determine to what extent any law prohibiting the holding of more than one office or position of employment applies to the agencies, officers, and other persons; and subject to provisions of this chapter, to provide for the interchange of personnel, by detail, transfer, or otherwise, between agencies or departments of the county;

(8) Make charges in such cases and in amounts as the mayor deems advisable, for any property sold, work performed, services rendered, or accommodations or facilities furnished by the county under this chapter;

(9) Make or authorize such contracts as may be necessary to carry out this chapter;

(10) Establish special accounting forms and practices whenever necessary;

(11) Require each public utility, or any person owning, controlling, or operating a critical infrastructure facility as identified by the mayor, to protect and safeguard the public utility's or the person's property, or to provide for such protection and safeguarding; and provide for the protection and safeguarding of all critical infrastructure and key resources; provided that the protection and safeguarding may include the regulation or prohibition of public entry thereon, or the permission of the entry upon terms and conditions as the mayor may prescribe;

(12) Restrict the congregation of the public in stricken or dangerous areas or under dangerous conditions;

(13) Direct and control the non-compulsory evacuation of the civilian population of the county;

(14) Order and direct government agencies, officials, officers, and employees of the county, to take action and employ measures for law enforcement, medical, health, firefighting, traffic control, warnings and signals, engineering, rescue, construction, emergency housing, and other welfare, hospitalization, transportation, water supply, public information, training, and other emergency functions as may be necessary, and utilize the services, materials, and facilities of the agencies and officers. All agencies and officers shall cooperate with and extend their services, materials, and facilities to the mayor as the mayor may request;

(15) Provide for the repair and maintenance of public property, whenever adequate provision therefor is not otherwise made; insure the property against any emergency or disaster; provide for the restoration, renovation, replacement, or reconstruction of insured property in the event of damage or loss; and make temporary restoration of public utilities and other critical infrastructure facilities in the event of an emergency or disaster;

(16) Fix or revise the hours of county government business; and

(17) Take any and all steps necessary or appropriate to carry out the purposes of this chapter notwithstanding that those powers in section 127A-13(b) may only be exercised during an emergency period.

**[§127A-13] Additional powers in an emergency period.** (a) In the event of a state of emergency declared by the governor pursuant to [section] 127A-14, the governor may exercise the following additional powers pertaining to emergency management during the emergency period:

(1) Provide for and require the quarantine or segregation of persons who are affected with or believed to have been exposed to any infectious, communicable, or other disease that is, in the governor's opinion, dangerous to the public health and safety, or persons who are the source of other contamination, in any case where, in the governor's opinion, the existing laws are not adequate to assure the public health and safety; provide for the care and treatment of the persons; supplement the provisions of sections 325-32 to 325-38 concerning compulsory immunization programs; provide for the isolation or closing of property which is a source of contamination or is in a dangerous condition in any case where, in the governor's opinion, the existing laws are not adequate to assure the public health and safety, and designate as public nuisances acts, practices, conduct, or conditions that are dangerous to the public health or safety or to property; authorize that public nuisances be summarily abated and, if need be, that the property be destroyed, by any police officer or authorized person, or provide for the cleansing or repair of property, and if the cleansing or repair is to be at the expense of the owner, the procedure therefor shall follow as nearly as may be the provisions of section 322-2, which shall be applicable; and further, authorize without the permission of the owners or occupants, entry on private premises for any such purposes;

(2) Relieve hardships and inequities, or obstructions to the public health, safety, or welfare, found by the governor to exist in the laws and to result from the operation of federal programs or measures taken under this chapter, by suspending the laws, in whole or in part, or by alleviating the provisions of laws on such terms and conditions as the governor may impose, including licensing laws, quarantine laws, and laws relating to labels, grades, and standards;

(3) Suspend any law that impedes or tends to impede or be detrimental to the expeditious and efficient execution of, or to conflict with, emergency functions, including laws which by this chapter specifically are made applicable to emergency personnel;

(4) In the event of disaster or emergency beyond local control, or an event which, in the opinion of the governor, is such as to make state operational control necessary, or upon request of the local entity, assume direct operational control over all or any part of the emergency management functions within the affected area;

(5) Shut off water mains, gas mains, electric power connections, or suspend other services, and, to the extent permitted by or under federal law, suspend electronic media transmission;

(6) Direct and control the mandatory evacuation of the civilian population;

(7) Exercise additional emergency functions to the extent necessary to prevent hoarding, waste, or destruction of materials, supplies, commodities, accommodations, facilities, and services, to effectuate equitable distribution thereof, or to establish priorities therein as the public welfare may require; to investigate; and notwithstanding any other law to the contrary, to regulate or prohibit, by means of licensing, rationing, or otherwise, the storage, transportation, use, possession, maintenance, furnishing, sale, or distribution thereof, and any business or any transaction related thereto;

(8) Suspend section 8-1, relating to state holidays, except the last paragraph relating to holidays declared by the president, which shall remain unaffected, and in the event of the suspension, the governor may establish state holidays by proclamation;

(9) Adjust the hours for voting to take into consideration the working hours of the voters during the emergency period, and suspend those provisions of section 11-131 that fix the hours for voting, and fix other hours by stating the same in the election proclamation or notice, as the case may be;

(10) Assure the continuity of service by critical infrastructure facilities, both publicly and privately owned, by regulating or, if necessary to the continuation of the service thereof, by taking over and operating the same; and

(11) Except as provided in section 134-7.2, whenever in the governor's opinion, the laws of the State do not adequately provide for the common defense, public health, safety, and welfare, investigate, regulate, or prohibit the storage, transportation, use, possession, maintenance, furnishing, sale, or distribution of, as well as any transaction related to, explosives, firearms, and ammunition, inflammable materials and other objects, implements, substances, businesses, or services of a hazardous or dangerous character, or particularly capable of misuse, or obstructive of or tending to obstruct law enforcement, emergency management, or military operations, including intoxicating liquor and the liquor business; and authorize the seizure and forfeiture of any such objects, implements, or substances unlawfully possessed, as provided in this chapter.

(b) In the event of a local state of emergency declared by the mayor pursuant to [section] 127A-14, the mayor may exercise the following additional powers pertaining to emergency management during the emergency period:

(1) Relieve hardships and inequities, or obstructions to the public health, safety, or welfare, found by the mayor to exist in the laws of the county and to result from the operation of federal programs or measures taken under this chapter, by suspending the county laws, in whole or in part, or by alleviating the provisions of county laws on such terms and conditions as the mayor may impose, including county licensing laws, and county laws relating to labels, grades, and standards;

(2) Suspend any county law that impedes or tends to impede or be detrimental to the expeditious and efficient execution of, or to conflict with, emergency functions, including laws which by this chapter specifically are made applicable to emergency personnel;

(3) Shut off water mains, gas mains, electric power connections, or suspend other services; and, to the extent permitted by or under federal law, suspend electronic media transmission;

(4) Direct and control the mandatory evacuation of the civilian population; and

(5) Exercise additional emergency functions, to the extent necessary to prevent hoarding, waste, or destruction of materials, supplies, commodities, accommodations, facilities, and services, to effectuate equitable distribution thereof, or to establish priorities therein as the public welfare may require; to investigate; and any other county law to the contrary notwithstanding, to regulate or prohibit, by means of licensing, rationing, or otherwise, the storage, transportation, use, possession, maintenance, furnishing, sale, or distribution thereof, and any business or any transaction related thereto. [L 2014, c 111, pt of §2]

**[§127A-21] Notice of requisition.** (a) The governor or mayor may requisition and take over any materials, facilities, or real property or improvements, required for the purposes of this chapter, or requisition and take over the temporary use thereof. The requisition shall be made by serving notice upon any person found in occupation of the premises or having the property in the person's custody, possession, or control; provided that a like notice shall also be served upon any person who has filed with the governor or mayor, or with such person as the governor or mayor may designate for the purpose, a request for notice with respect to the property; provided further that whenever all persons entitled to compensation for the property have not been served in the manner aforesaid, the governor or mayor shall publish a notice of the requisition at the earliest practicable date.

(b) A requisition shall terminate automatically sixty days after the issuance of a proclamation of a state of emergency in the State or local state of emergency, respectively, or by a separate proclamation of the governor or mayor, whichever occurs first. [L 2014, c 111, pt of §2]

**FY 2017 Homeland Security Grant Program  
Distribution Based on Collaged Investments**

Agency	Interoperable Communications Enhancements	Law Enforcement Enhancements	Power Generation	Cyber, Networks and IT	Critical Infrastructure Enhancements	Training and Exercises	Hawaii State Fusion Center	Rapid Response Vehicles	Program and Project Support	Total
City and County		\$299,000.00			\$45,000.00	\$146,000.00		\$160,000.00	\$115,000.00	\$765,000.00
Hawaii				\$195,000.00	\$450,000.00	\$60,000.00				\$705,000.00
Kauai	\$300,000.00				\$370,000.00				\$75,000.00	\$745,000.00
Maui			\$110,000.00	\$400,000.00		\$93,000.00		\$130,000.00		\$733,000.00
DPS	\$157,000.00									\$157,000.00
HAH										\$0.00
ETS						\$120,000.00				\$120,000.00
HI-EMA										\$0.00
DOD						\$100,000.00	\$150,000.00		\$277,000.00	\$527,000.00
TOTAL	\$457,000.00	\$299,000.00	\$110,000.00	\$595,000.00	\$865,000.00	\$519,000.00	\$150,000.00	\$290,000.00	\$467,000.00	\$3,752,000.00

Distribution of Funds 80 / 20 Profile				
Funding Level	80%		20%	Contribution
\$3,752,000.00	\$3,001,600.00		\$750,400.00	\$3,752,000.00
City and County	\$765,000.00			
Maui	\$733,000.00			\$2,948,000.00
Kauai	\$745,000.00			
Hawaii	\$705,000.00			
	\$2,948,000.00			
ETS			\$120,000.00	
AG			\$57,000.00	
DPS			\$100,000.00	
DOD				
Consortium Training	\$50,000.00		\$50,000.00	
Fusion Center	\$120,000.00		\$47,000.00	
SCIP	\$35,000.00		\$15,000.00	
M&A			\$185,000.00	
USR	\$25,000.00			
	\$230,000.00		\$574,000.00	\$804,000.00
				84.70%
	\$3,178,000.00		\$574,000.00	\$3,752,000.00
				15%

Funds retained by state

Counties Percentage 15%  
State Percentage 85%

**"Exhibit 2"**

Emergency Management Performance Grants (EP7)  
 EMF-2017-EP-00003  
 October 1, 2015 - June 30, 2018  
 \$7,098,564.00 (50/50 match)

Agency	Funding Level	Match
City and County	\$375,000	\$375,000
Hawaii	200000	200000
Maui	100000	100000
Kauai	130000	130000
	\$805,000	\$805,000

Remainder stays with HI-EMA

\$3,542,668 State Share  
 \$805,000 County Share  
 \$4,347,668 Total

**81% Share retained by State**

Counties Percentage	19%
Maui's Percentage	2%
State Percentage	81%
<b>TOTAL</b>	<b>100%</b>

## "Exhibit 3"